Annual Report

Civil Society and Democratization in the Arab World

2003

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Introduction

Definitions and Criteria

This survey is principally concerned with political systems in the Arab World insofar as they relate to freedom and human rights. The concept of freedom we address here is to be understood in its narrow political sense which is the value and goal of genuine democratic regimes. A survey of democratic freedom is often assumed to entail a survey of human rights. But these two concepts are distinct despite the considerable overlap between them. A free majority in a democratic system may very well deny basic human rights to a particular minority or some specific individuals or groups within society. Indeed it is this potential danger within a free democracy which led de Tocqueville to warn against the "tyranny of the majority." For example, if politically active Muslim fundamentalists are arrested for their ideas and mistreated in prisons this would constitute a clear violation of their human rights, yet this, in a free democratic society, may be passively approved of by the majority of the population; nor does this violation necessarily impair freedom of expression or political democracy for the vast majority.

The core definition of freedom adopted in this survey is that people are free to the extent that they actually have a choice in determining the nature of their political, and socio-economic systems. Thus a system that imposes a "social good," which may even be a factor that serves democratic values—such as, for example, reducing large inequalities in wealth—is in fact undemocratic, since the policy was not freely chosen through democratic mechanisms.

Free contested elections are the sine qua non of a democracy, but a focus on the characteristics of the voting process and the turnout at the polls is of little meaning without the civil liberties that must complement these elections.

The purpose of this survey then is to give a general picture of the political rights and civil liberties in each of the 19 Arab countries considered.*

These two concepts—political rights and civil liberties—referred to in this report must therefore be (briefly) identified, so too must the concept of "authoritarianism" the degree of which is defined precisely by the extent to which political rights and civil liberties are denied.

Political Rights. In a democracy these rights involve: (i) the right to participate meaningfully in the political process through fair and free contested elections; (ii) universal suffrage; (iii) the right of all adults to compete for public office; (iv) that elected representatives (legislatures) be able to legislate, and hence have a decisive voice in public policy, in addition to scrutinizing government performance and holding it accountable; and most importantly (v) the right to change the government, and the means to do so by established legitimate processes.

Civil Rights. These are basically (i) the right to free expression—including most importantly the freedom of the press and the broadcast media; (ii) the freedom to organize and demonstrate, (iii) the freedom of association; (iv) the freedom of

* Three Arab countries are omitted, principally for lack of data: Djibouti, Somalia, and the Lunar Islands.

religion; and (v) the freedom from arbitrary arrest and detention and from torture or other forms of abuse—and its corollary, the right to a fair trial by an independent judiciary.

The combination of these political rights and civil liberties clearly lie at the heart of democracy, but a genuine functioning democratic system requires additional institutional elements and conditions:

The first is a *democratic constitution that is adhered to.* For no matter how fair and free the elections, and no matter how large the government's majority, democracy must have a constitution that itself is democratic—in that it respects fundamental liberties—and the elected government must rule within the confines of that constitution, and in conjunction with a complex set of other institutions, within both the state and civil society, that help to ensure accountability. The second is the opportunity for the development of a robust and critical civil society that helps check the state and constantly generate alternatives. For such civil society alternatives to be aggregated and implemented, political society, especially political parties, should be allowed unfettered relations with civil society.

An authoritarian system was defined by Linz as "one in which there is limited ... political pluralism—without elaborate and guiding ideology (but with distinctive mentalities), without intensive or extensive political mobilization, and in which the leader (or a small group) exercises power within formally ill-defined limits, but actually quite predictable ones." Although the literature is replete with other definitions, this one serves our purpose well enough.

Authoritarian regimes come in a variety of types: military, single party, dominant party, personal or traditional or some combination of features from these various types. Authoritarian regimes are not necessarily resented by their people. Indeed, some are deeply populist—they cultivate the sentiments of and are much admired by the mass of citizens. In varying degrees all authoritarian regimes seek to exercise a very tight control over both the direction of governmental policy and the expression of free opinions by citizens. The defining feature of all authoritarian regimes is that the ruling party, be it a group or an individual (monarch, president or sultan) dominates the political arena while allowing a margin of freedom—defined as the degree of *liberalization*—which might be small or relatively large, within civil society.

Thus, for instance, several Arab monarchs—all of whom exercise enormous executive power—have taken significant steps to liberalize their regimes. This degree of liberalization is often taken—erroneously—to indicate a measure of democracy. But only titular monarchs can preside over a democracy. Monarchs who wield executive power—not to mention also at least some legislative powers, as all Arab monarchs do—may go a long way towards liberalizing their country but they can never establish a democracy since a democratic regime must entail the possibility of replacing the government, including the supreme executive—i.e. in this case, the King. It also involves the necessity of placing supreme power in the hands of the people and their representatives—a situation that the present Arab monarchs cannot of course contemplate. Moreover, a democracy holds no one immune—as are Arab monarchs and their families—from public criticism.

And thus all that can be said of Arab monarchs who liberalize is that at best they are enlighted autocrats. As for the Arab Presidents, the present survey indicates

that by and large their regimes are mostly less liberal than those of the monarchies (excluding Saudi Arabia).

The pressing issue with such regimes is whether the liberal steps they take do in fact move them towards a transition to durable stable democratic forms of rule, or are they merely a tactical retreat under internal and/or international pressures which can be reversed once the pressures are lifted, or once the liberal opening proves ineffective in dealing with the intractable problems.

<u>Comments on the Political Rights and Civil Liberties Addressed in this Report:</u>

1. Political regimes vary in the degree to which they enable voters to participate meaningfully in the system. This predominately means offering voters a choice between competing candidates for public office, and a workable democratic mechanism by which they may change their government. At the antidemocratic extreme of the spectrum are the kind of inherited monarchies that wield absolute unchecked executive power which dominates all aspects of the system (Saudi Arabia is the prime example). Not much better are the republican systems in which the voter is offered no realistic choice but to affirm, in a referendum, a single candidate for the presidency, who invariably claims a sweeping victory that approaches unanimity, and then proceeds to rule with near absolute power and without the possibility of his removal by any democratic means. In effect such rulers behave very much like the inherited monarchies, and frequently far less liberally. Indeed, some are assiduously seeking to have their sons succeed them as presidents. Somewhat better are the dominant party systems. "Dominant Party" structures permit a margin of freedom for the opposition to campaign, gain seats in legislative bodies, articulate alternative policies, and criticize the government's performance—but all this only to the extent that stops short of their constituting any real threat or challenge to the group in power. Consequently, in such regimes, there is not the slightest chance that the opposition can come to power, or even gain an effective weight in legislatures to meaningfully influence executive decisions on major public policies.

2. Important indicators of democratic elections is the existence of a mechanism that would reduce fragrant cheating, and the absence of restrictions placed on campaigning, which authoritarian governments impose ostensibly to reduce the risk of violence.

   In the final analysis, of course, free and fair elections by themselves have little meaning if those elected do not in practice have the *major* power in the state to make laws and determine policies—as is the case in all the Arab states, barring none. While no Arab parliament has the major power in the state—that being invariably in the hands of the ruler who wields supreme power—yet in some countries (notably Morocco, Kuwait and Yemen) parliament does play a significant role in modifying legislation proposed by the government and constraining to some degree ministerial power.

3. Some Arab countries—particularly the Gulf states—ban political parties altogether. This might lead one to conclude— erroneously—that a fundamental pillar of democracy is missing and hence it cannot possibly be established. But in truth there is nothing in democratic theory that mandates the existence of political parties. Indeed the founding fathers of American democracy not only

thought that political parties were unnecessary, but strongly believed that they are to be avoided because of the adversarial spirit they give rise to, and their possible corrupting influence on public life on account of their dedication to the acquisition of power. Historical evidence has shown, however, that very small countries—such as most of the Gulf states—may still function democratically without political parties. But this is not possible for states with larger populations. For most modern states political parties are essential to permit the necessary aggregation of a large number of votes and the articulation of societal interests, in order to legitimate the proposed alternative policies to those of the ruling group.

4. Public demonstrations and assemblies are essential rights in a free society. Though, there may be occasions when large gatherings could pose a real danger to law and order, yet the ruling elite in authoritarian regimes usually feel threatened by organized public expressions and use the pretext of their hypothetical danger to suppress them.

5. One cannot begin to speak of a liberal, let alone a democratic, system unless there is an independent judiciary that can be relied on to observe a defendant's right to due process and a fair trial, and render verdicts with a reasonable degree of impartiality.

6. The right to free association is fundamental to democracy. A measure of the liberalization of a regime is the degree to which free association is permitted without hindrance or restrictions, or control by the government. A dynamic civil society is essential as a bulwark against the natural tendency of governments to accumulate power and their great propensity to encroach on the rights and freedoms of individuals.

7. If religious freedom is essential for the well being of many in the world, it is much more so for the Arab people who, whatever their faith or sect, are generally extremely religious. Moreover, strong religious institutions provide a protective barrier around individuals which governments are usually reluctant to breach. Thus religious organizations represent countervailing power to that of the state.

Sources and Check List

This report relied heavily on three sources that assessed the status of political rights and civil liberties for different countries in 2003: The Annual Report of the Ibn Khaldun Center in Cairo (in Arabic); the Country Survey of Freedom House; and the Country Reports on Human Rights Practices submitted to the Congress by the U.S. Department of State. Additional data and information was obtained from various newspapers published in the Arab world.

The factors we looked at in each country and tried to report on in order to give a picture of the state of *political rights* and *civil liberties* are those in the following Check List.

Check List

For Political Rights and Civil Liberties
(Based on Freedom House Check list)

Political Rights

1. Chief authority recently chosen in free and fair election.
2. Legislature recently elected in a free and fair process
   Inferior Alternatives to 1 and 2.
   (a) Single presidential candidate chosen in referendum with no realistic possibility of rejection
   (b) Incumbent President running against virtual nonentities and supported by the state apparatus
   (c) Choice possible only among government-approved candidates
   (d) Relatively open choices possible only in local elections
   (e) Open choice possible within a restricted range
3. Fair election laws, campaigning opportunity, polling and tabulation
4. Fair reflection of voter preference in the distribution of power—parliament, for example, has effective power
5. Multiple political parties
   - only dominant party allowed effective opportunity
   - open to rise and fall of competing parties
6. Recent shifts in power through elections
7. Significant opposition vote
8. Free of military control
9. Free of foreign control
10. Major group or groups denied reasonable self-determination
11. Informal consensus; de facto opposition power

Civil Liberties

12. Media/literature free of political censorship
    (a) Press independent of government
    (b) Broadcasting independent of government
13. Open public discussion
14. Freedom of assembly and demonstration
15. Freedom of political or quasi-political organizations
16. Nondiscriminatory rule of law in politically relevant cases:
    (a) independent judiciary
    (b) security forces respect individuals
17. Free from unjustified political terror or imprisonment
    (a) free from imprisonment or exile for reasons of conscience
    (b) free from torture
    (c) free from terror by state-sponsored militias
    (d) free from government-organized terror
18. Free trade unions, peasant organizations, or equivalents
19. Free professional syndicates or other private organizations
20. Free religious institutions and worship
21. Gender equality
22. Freedom from gross government indifference or corruption

Algeria

Capital	: Algeria
Date of Independence	: 5/7/1962
Area	: 2,381,740 Km²
Population (in millions)	: 33 (in 2003)
Rate of Population Increase	: 1.65% (in 2003)
Ethnic Groups	: Not available
Religious Groups	: 99% Muslims (Sunna), 1% Christians & Jews
Illiteracy	: 30%
No. of Provinces	: 48 states
Polity	: Republic
Head of State	: Abdelaziz Bouteflika
No. of Political Parties	: 30
GDP (in millions)	: $167,000 (in 2002)
Income per Capita	: $5,300

Overview

Following 130 years of French colonial rule Algeria gained its independence in 1962 after an armed struggle in which one million Algerians died. The National Liberation Front (FNL) ruled as a one-party regime up till October 1988 when massive "hunger" riots forced President Chadli Benjedid to introduce a new constitution that permitted the creation of political parties. The first round of multiparty contested national elections which took place,in 1992 were canceled by the army before the second round could take place when they showed that the Islamic Salvation Front (FIS) was poised to achieve a sweeping victory.
The military intervention set off a bloody civil war that claimed the lives of about 150,000 people. While most of the massacres were perpetrated by the radical Islamists government–backed militias have also been responsible for mass killings. Human rights groups have also charged security forces with thousands of "disappearances." Although the armed violence has subsided considerably in the last couple of years, the country remains under martial law. The 1999 Civil Amnesty Law introduced by President Abdelaziz Bouteflika, which granted amnesty to Islamic radicals who renounce violence, led to a truce, followed by the formal disbanding of the Islamic Salvation Army (AIS). Two smaller Islamic groups, offshoots of the AIS, have however rejected the truce and continue their violent struggle. In the month preceding the last parliamentary elections of 2002 Islamist violence claimed 390 lives.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections**. Algeria has a military political system with a bicameral legislature: the National People's Assembly (the lower house) which is elected by popular vote, and the Council of the Nation (upper house) of which two thirds of its members are elected by the provincial assemblies and the remaining third appointed by the President. Seats in the lower house may be contested by 30 political

parties. However, only nine parties won seats in the last parliamentary elections of May 2002. Turnout in the elections reached an all-time low of 46% as a result of electoral boycott by the two main pro-Berber parties and the Socialist Forces Front. The important outcome of the election was that they did not produce any substantial parliamentary opposition to the party backed by the military— this time around the National Democratic Rally (NDR). Political parties are considered fragile and internally fragmented, no doubt partly because of the heavy restrictions imposed upon them by the government. In 2003, the Judiciary imposed a complete moratorium on the activities of the National Liberation Front, the party that once ruled alone for 25 years after independence. The suspension came as a result of a law suit filed by active members of the party, claiming that Bin Flees, after being granted wide powers by the party's General Committee, has virtually frozen all activities of the party.

The last municipal elections took place on 10/10/2002 in which the NFL gained 798 seats out of 1960, with the Reform Party coming second with 374 seats, and the National Democratic Rally third with 336 seats. In the last presidential elections of 1999, Abdelaziz Bouteflika ran unopposed when the other candidates withdrew on the eve of the elections alleging the lack of any guarantees to protect against voting fraud.

2. **The Judiciary, Trials, and Detention**. The judiciary is not indepenaent. The fact that judges are appointed for a 10-year term subject to renewal, in addition to the Justice Ministry's power to remove them at will, makes them vulnerable to executive pressure and influence. In August 2000, President Boutaflika replaced 80% of the entire corp of lower court judges. Trials in normal civil and criminal courts are conducted with reasonable fairness. Military courts try security cases, wherein due process standards are usually ignored. This is compounded by the reluctance of many lawyers to defend those accused in security cases for fear of retaliatory measures against them by the authorities. Under the state of emergency law imposed since 1992, the right of detainees is severely curtailed. The constitution provides that incommunicado detention before arraignment not exceed 48 hours, a limit which is usually respected by the police in normal non-terrorist cases, but not so in cases involving militant Islamists.

   Although the number of reported abuses by the security forces has continued to decline in the last few years, it is still by no means insignificant. The number of political prisoners at present is estimated to be in the thousands, most of whom are suspected members of radical Islamic groups or their sympathizers. But hundreds are also government officials arrested on charges of corruption. Prolonged pre-trial detention remains a problem particularly with regard to crimes considered terrorist or subversive acts; in such cases the pretrial detention could last up to 60 months.

3. **Civil Society and the Freedom of Association**. Free association and assembly is guaranteed by law, but the present state of emergency constrains both freedom of association and of assembly. Several political parties have also been denied license on suspicion of their Islamic

affiliations. The government has also refused to register some NGOs on "security grounds" without giving further details. Some NGOs, however, continue to operate unhindered despite their illegal status. A vibrant community of human rights associations operate openly. Peaceful demonstrations are allowed without need for prior governmental approval. But organizations that focused exclusively on the investigation of the cases involving the "disappearance" of people have been denied registration. Indeed, Abdelrahman Khalil, a leading official of SOS Disparus which supports the families of the disappeared was arrested three times in 2002, and eventually sentenced to a six–month prison term.

Workers can form unions and are permitted to strike, however, the government can dissolve unions if it deems their activities detrimental to public order or morale.

4. **Freedom of Speech and the Media**. Freedom of expression is guaranteed in the Constitution but is in practice severely restricted by vaguely defined clauses in the law such as "defamation of the President or state officials." In 2001 the Penal Code was amended to stiffen the penalty for this offense against "any authority of public order." In May 2003 the political cartoonist for Liberte, Ali Dilem, was sentenced to a 6-month suspended sentence for defamation. About 70 journalists have been killed over the last 10 years. Nevertheless, the Algerian press remains one of the most vibrant and outspoken in the Arab world. In 2003, the authorities effectively shut down six major newspapers for several days when the government's printing houses refused to print these dailies in retribution for having exposed corruption in real estate dealings made by officials. In a show of solidarity, five other newspapers also did not come out on 22/9/2003, a day which left the capital without newspapers.

   The broadcast media is state owned and government controlled. They are organs that mainly present the government's views. In the last quarter of 2003, presidential opposition candidates were denied access to the media in order to enhance the reelection chances of President Boutaflika. Satellite dishes are widespread, access to the internet is without hindrance.

5. **Freedom of Religion**. Islam is the state's religion. The small Christian and Jewish communities in Algeria are allowed to worship freely in existing churches and synagogues. But the law prohibits public assembly for practicing a faith other than Islam. Unique among all other Arab countries, Algeria has a Constitution which specifically bars any government-imposed sanctions for conversion from Islam to another faith. Tradition and culture, however, prohibit such conversions. Mosques are under close government control and all Muslim preachers must obtain prior governmental approval, otherwise they might be charged and imprisoned for delivering sermons that "violate the noble nature of the mosque," or that "rend the social fabric."

6. **Women and the Marginalized**. Although the Constitution disallows discrimination on the basis of gender, traditions and the Family Code, which is based in large part on Shari'a (Islamic Law) treats women as

minors under the guardianship of a husband or a male relative. It also discriminates against women with regard to divorce, inheritance, and child custody. Women have also suffered from attacks by radical Islamists for not observing the appropriate Islamic code of dress or for going to beauty salons or even working outside the home. The President appointed in 1999 the country's first female Provincial Governor, and has recruited a greater number of women in government. The new cabinet has five female ministers and the upper house has seven female members. However, the proportion of women in the workforce remains still relatively low because of biased societal stereotypes. There are many women's rights groups which though small in membership are quite active in their efforts to foster women's economic welfare and amend the Family Code.

7. **The Berber Amazigh** ethnic minority in Algeria, which totals about 13 million, does not face overt official discrimination but their culture and language is not fully recognized legally. They have also been targets of Arab Islamic radicals. Berber demonstration in defense of their rights have frequently been dispersed with excessive official force.
The Berbers live in Libya, Morocco and Tunisia but their greatest numbers and most significant political weight is in Algeria. The Berbers of Algeria, who are of non-Arab ethnic descent, represent some 40% of the population. They were the original inhabitants of the country until its conquest by the Muslim Arabs in the ninth century which led to the conversion of the Berbers to Islam. At present 25% of Algerians speak the Amasigh Berber language or any one of its 10 dialects. The problem for this significant ethnic minority arose as a result of the central governments' attempts to Arabize the Berbers and marginalize their language and culture. Indeed the Algerian Constitution has accentuated the problem of the Berbers by stating specifically that "Algeria is a land of Islam, an Arab land, and an intrinsic part of the Greater West Arab region, and takes pride in its 1954 Revolution." In 1996, the failure of the Berbers to gain official recognition for their language and culture led them to organise a nation-wide strike, which lasted for nine months and finally forced the government to grant the Berbers much of their demands. Nevertheless, since then sporadic violence has erupted from time to time between the Berbers and the government security forces in the Berber tribal regions. Despite significant government concessions, the Berbers continue to complain of marginalization in the governments' development plans, the imprisonment of some of their leaders, and of insufficient recognition of their culture and language. As part of Berber pressure, their main political parties boycotted the last presidential elections.

II. Prospects for Democratic Change

The government's human rights record leaves much to be desired. But some improvement has occurred as evidenced by the diminishing number of reported abuses by the security forces. Also the civil war which began some twelve years ago is winding down and the Berber restlessness of the last few years has largely come to an end as a result of the government's responsiveness to some of their justifiable urgent human rights demands.

These changes that provide for socio-political stability augur well for further liberalization. But to move towards a genuine democracy requires a radical restructuring of the system to do away with its entrenched authoritarian elements and establish new democratic institutions and measures that would allow for free and fair contested elections, provide an independent judiciary, lift emergency rule, and eliminate all discrimination against women and the Berber minority.

Bahrain

Capital	: Manama
Date of Independence	: 15/8/1971
Area	: 620 Km²
Population (in millions)	: 0.7 (in 2003)
Rate of Population Increase	: 1.61% (in 2003)
Ethnic Groups	: 63% Bahrainis, 19% Asians, 10% other Arabs, 8% Iranians
Religious Groups	: Shi'a Muslims 70%, Sunni Muslims 30%
Illiteracy	: 11%
No. of Provinces	: 12 municipalities
Polity	: Traditional monarchy
Head of State	: Hamad Bin Issa al-Khalifa
No. of Political Parties	: There are no political parties
GDP (in millions)	: $9,800 (in 2002)
Income per Capita	: $14,000

Overview

Bahrain is an archipelago of 30 islands and a population of about 670,000. It has been ruled by the al-Khalifa family since 1783 after expulsion of the Persians. After more than a hundred years as a British protectorate Bahrain gained its independence in 1971. At present its King, Hamad Bin Issa al-Khalifa, is supreme ruler of both the executive and legislative branches of government, and members of his family control the top military and political posts.

I. Political Rights and Civil Liberties:

1. **The Executive, Political Parties and Elections.** Political parties are prohibited in Bahrain, as in all other Gulf states. However, different political currents have been permitted to form "political associations," of which at present there are 16 representing the Left the Liberals and the Islamists, as well as associations of independents, most of which have close connections to the government. These "political societies" are permitted to run candidates in elections. Human rights organizations also have been allowed to take part in political activities. Bahrainis may influence their government but have no means for changing it. The King appoints the cabinet as well as the 40-member Consultative Council, the upper house of parliament, which can effectively overrule any decisions made by the Council of Representatives, the elected 40-member lower house. Collectively the two Councils constitute the National Assembly. The legislative and municipal elections held in 2002 were considered free and fair, and opposition political associations were allowed to campaign openly without hindrance; even those that boycotted the elections were allowed to stage large rallies. Three hundred and twenty candidates, including 34 women competed for the 50 municipal seats. The

results showed a resounding victory for the Islamists who won 27 seats, of which 23 went to the Shias, and four to the Sunnis. In the parliamentary elections 177 candidates, including eight women, ran for the 40 seats. The results of the parliamentary elections were also a sweeping victory for the Islamists, who won 24 seats. No woman won. Following these two elections the legislative apparatus of the state —The National Assembly— was completed in 2002 with the appointment by the King of the 40 members of the Consultative Council. Deserving special note, is that the appointments to the Council included six women, one of whom was a Christian, 10 businessmen, five officers, and two Jews.

2. **The Judiciary, Trials, and Detention.** The Judiciary in Bahrain is not independent. Although there is little evidence that the government interferes in the rulings of particular cases, it remains that judges are potentially subservient to the executive since all judges are appointed by the King, in consultation with the Supreme Judicial Council. Nevertheless, defendants receive due process protections and trials are public and fair. Citizens are also free from arbitrary arrest and detention. But the government has the right to tap telephone conversations and monitor private correspondence.

3. **Civil Society and the Freedom of Association.** Law No. 21 of 1989 regulates the creation and operation of non-governmental organisations and associations. It permits the formation of political, cultural and educational associations, imposing little restrictions on them in practice. Thus numerous advocacy associations were established, including some that focused on human rights. In 2002, 65 new associations were established of which 11 were political and 13 catered to the interests of professional groups. A considerable opening had already begun in 2001 when the Emir of Bahrain called a referendum to change the country into a constitutional monarchy, with himself as King. He promised then political reforms that would ensure greater participation by the people. In line with this new orientation, state security courts were abolished and a general amnesty was given to political prisoners. Since then 280 new civil associations were established, of which 16 were of a political nature. Also, human rights organizations have been permitted to engage in political activities. In 2002, a landmark law permitted the formation of independent labor unions without need for government permission. That law also gave workers the right to strike in defence of their "direct economic interests," thereby banning politically motivated strikes and ensuring the depoliticization of the unions. The year 2003 witnessed an increased activity on the part of the political associations. Six of them drafted a declaration on 2/3/2003 outlining the required reforms, which included the call for increased political and personal freedoms, a serious effort by the government to combat bureaucratic corruption, and the enhancement of the role of women in the political, economic and cultural domains.

    The right of free association is restricted by the government's refusal to allow the formation of political parties. The Political Rights Law passed in July 2002—which banned holding pre-election meetings in government buildings,

mosques, and schools—is also alleged to constitute a constraint on freedom of speech and association. In October 2003 the International Parliamentary Union accepted Bahrain as a member.

The Constitution provides for the freedom of assembly, but the government restricts this by requiring permits for public events—something that is not routinely granted. The law prohibits unauthorized public gathering of more than five persons, and the government periodically limits and controls political meetings. However, since 2001 political discussions in clubs and at social gatherings have taken place regularly and were not obstructed by the government. Demonstrations that took place during the year were not interfered with, even those that the government did not approve of, so long as they remained peaceful. Several demonstrations, which included more than 2500, were staged to protest Law 56/2002 which granted amnesty to government officials accused of torture. Some 3500 people claimed they were tortured, and were supported in their protest by a petition to the King signed by 33000 citizens asking that the law be rescinded. By year's end no decision had been taken.

4. **Freedom of Speech and the Media**. So far freedom of speech is limited but is on the rise. Radio and television are state-owned and mainly broadcast the government's views and its achievements. But privately owned newspapers and magazines reflect a diverse range of views, and regularly criticize government policies on almost all issues. Outright criticism of the Royal Family is rare, but unflattering coverage has not provoked repression. In November 2002 a new press law prohibited arbitrary closure of any publication; but it contained vaguely worded prohibitions such as "the propagation of immoral behaviour" or "defamation of the state"—all of which would open the door to discretionary interpretations by the government.

   Law No. 47 of 2002 regulates the press and governs all printed material. Some statutes in that law impose considerable restrictions on journalists, who are often dragged to court accused of having contravened its terms. For example, on 12/6/2003 Mansour Gamri, editor of the daily "Wasat," was brought to trial for having published—when he shouldn't have—an item of news regarding the release of three men accused of terrorism.

5. **Freedom of Religion**. Islam is the state's official religion and the government controls all religious institutions. The religious affiliation of Bahrain's population is 70% Shia Muslims, 28% Sunni Muslims and 2% Christians and Jews. While the Constitution guarantees freedom of religion for all, there is a distinct bias by the ruling Sunni elite against the Shi'a despite their majority within the population. Thus Shi'a mosques are much less subsidised by the government than their Sunni counterparts, and few top positions in the government are given to Shi'as. The government has lately, however, taken several steps in recognition of Shi'a rights: In 10/3/2003 it allocated a special TV station for the Shi'a, and major Shi'a feast celebrations were broadcast on the state television channels also.

6. **Women and the Marginalized**. Women enjoy most of the same rights as men exçept for the legal discrimination imposed by Islamic law with regard to divorce, inheritance and the guardianship of men over their wives. Although the law prohibits discrimination in the workplace on the basis of gender, ethnicity or religion, nevertheless, in practice there is a marked bias against women in the workplace. There are currently a large number of women's groups which are seeking to redress much of the wrongs that women suffer on account of the prevalent ossified traditional tribal cùlture. Although no women were elected in either the legislative (in which only six ran) or municipal elections, 52% of the voter turnout at the polls were women. There are no women in the cabinet. Only 37 out of the 532 top echelon posts in the government are occupied by women. There is one woman of ministerial rank, one as ambassador, and 32 out of 281 at the level of director general.

Although 21 out of the 40 members of the Consultative Council are Shi'a, and one third of the cabinet ministers are Shi'a, yet the Shi'a complain of some political discrimination against them and attempts to marginalize them. They cite as example the gerrymandering made by the government to dilute the voting strength of the Shi'a community.

II. Prospects for Democratic Change

Although the political opening in Bahrain during the last few years is a welcome step in the right direction, it is nevertheless a small one. For any significant democratic change the entire existing political system needs to undergo radical restructuring. One cannot speak of a genuine democracy in Bahrain in the absence of competing political parties, an elected legislature, a fully independent judiciary and a separation between the three branch of government. Such restructuring, however, will prove quite difficult to implement unless the entrenched power of the existing tribal system gives way to a culture that embraces modern institutions—a culture that would look on competing opposition parties as a vehicle for presenting alternative solutions to the country's problems, rather than the present suspicious view which tends to perceive political opposition as a threat to social unity.

Egypt

Capital	: Cairo
Date of Independence	: 28/2/1922
Area	: 1,001,450 Km²
Population (in millions)	: 75 (in 2003)
Rate of Population Increase	: 1.88 (in 2003)
Ethnic Groups	: 99% Egyptians, Bedou, Berber, 1% Greeks, Nubians, Armenians and other Europeans (Italians and French)
Religious Groups	: 94% Muslims (Sunna) and 6% Copt Christians
Illiteracy	: 43%
No. of Provinces	: 26 governorates
Polity	: Republic
Head of State	: Muhammad Hosni Mubarak
No. of Political Parties	: 17
GDP (in millions)	: $268,000 (2002)
Income per Capita	: 5,060.9 L.E.

Overview

Egypt gained formal independence from Great Britain in 1992. In 1952, a military coup led by Colonel Gamal Abdel-Nasser overthrew the monarchy and established a military dictatorship. The period of Nasser's rule, which lasted until his death in 1970, was marked by a deep hostility toward the West, and witnessed two wars with Israel, in 1956 and 1967. Nasser and his successor Anwar al-Sadat established a strong presidential political system that was largely dependent on a pervasive security apparatus that maintained a firm grip on all aspects of civil society. Following the assassination of Sadat in 1981, Hosni Mubarak, an air force general who was then Vice President, became president and declared a state of emergency which he has since renewed every three years (recently in June 2003). In the early 1990s Islamic militant groups in an effort to overthrow the government conducted a wave of terrorist attacks against the police, top government officials, the Christian Copts, and foreign tourists. The bitter fight against these groups lasted for several years; by 1998 the government had succeeded in destroying the militants' infrastructure in Egypt. In the process, the government jailed thousands of suspected Islamists, and cracked down on political dissent. Although the armed sector of the militant Islamists was effectively destroyed by 1998, the government continued to severely restrict civil and political liberties, while seeking to enhance its legitimacy by burnishing its Islamic credentials. At present, Egypt is suffering from an ailing economy since the late 1990s, a high level of unemployment, particularly among college graduates, and endemic corruption at all levels.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The President dominates the entire political arena. He is not chosen directly by the people in a competitive election, but is nominated by the People's Assembly (Parliament) and is confirmed in a national referendum. The President

appoints the Prime Minister, the cabinet and the Governors of Egypt's 26 provinces. There are 17 legally recognized political parties. Political parties based on religion are prohibited. The Muslim Brotherhood (MB) as an organization (that acts very much like a party) is banned though its candidates in the elections are known, and their views are openly expressed, but they do not explicitly define themselves as MB members. Apart from the ruling National Democratic Party (NDP), all other parties are extremely weak, with many being parties in name only. This is attested to by the fact that the opposition has only seven seats in the 454–seat parliament, in which independents occupy 13 seats, the Muslim Brothers 17 seats and the remaining 417 seats (including the 10 appointed by the President) are taken by NDP members. Thus the legislature is dominated by the NDP. The assembly has limited effective power, restricted to introducing minor modifications to the bills which are invariably initiated by the executive. Many policies and initiatives, however, are simply carried out by administrative decree by-passing the legislature altogether. With such extensive executive power and its dominance over the legislature, citizens' constitutional right to change their government remains a purely theoretic one.

Political parties cannot be established unless licensed by the NDP-dominated Political Parties Committee (PPC)—which so far it has never done—or by a court ruling that overrules the PPC decision. Besides the Parliament a 264-seat Consultative Council (*Majlis al-Shura*)—of which two thirds are elected and one third appointed by the President—acts in an advisory capacity, and reports to the President on the proposed legislations. Among the appointees to the Consultative Council are 8 women and 4 Christians.

National elections have been traditionally seriously flawed by extensive vote rigging and intimidation of opposition candidates and their supporters. But the last elections of 2000 were conducted under judicial supervision, which helped to eliminate much of the irregularities related to vote rigging. But this was offset by the arrest of hundreds of Brotherhood supporters prior to the elections, and the use of security forces to obstruct voters in pro-Islamist districts. These strong arm tactics by the police led to clashes that left 10 dead and many more injured. In April 2002, the NDP won 97% of the seats in municipal elections. The suffocating grip of the regime over all political life has driven political parties, even those that stand at opposite ends of the ideological spectrum, to seek the formation of a common front.

2. **The Judiciary Trials, and Detention.** The normal civil and criminal courts are generally competent, fair and independent of the executive. Trials are open and procedural safeguards are usually observed. However, political and security cases are tried in either military or State Security Courts, which come under the strong influence of the executive, and in which many constitutional rights are denied. Under pressure from many Egyptian intellectuals, human rights organizations, and the criticism of Egypt's Western allies, the President declared in 2003 that the government will submit a bill to the Parliament for the elimination of the State Security Courts, leaving in place the emergency military courts to try only cases of

terrorism, and conspiracies designed to destabilize the regime. But by year's end the proposed legislation was still pending.

The Emergency Law by which Egypt is ruled since 1981 restricts many basic rights. Its provisions allow for arrests without warrant and prolonged detention without charge. Mistreatment by the police is commonplace. In November 2003, Amnesty International stated in its report that "everyone taken into detention in Egypt is at risk of torture." The authorities seldom investigated the complaints of abuse and torture—sometimes to death—many of which were recorded by the Egyptian Organization for Human Rights in its report issued on April 16, 2003. In 21/9/2003, Mossaad Qutb, an accountant and a member of the Muslim Brothers, was tortured and died at the hands of the state security police, and on 14/11/2003, Mohammed Abdel-Sattar al-Rubi met a similar fate. On November 4, 2002, a report by Human Rights Watch estimated that since March of that year no less than 13 died as a result of torture.

3. **Civil Society and the Freedom of Association**. Freedom of association and assembly is heavily restricted. NGOs cannot attain legal status unless licensed by and registered with the Ministry of Social Affairs (MOSA). Law 84 of 2002 also allows MOSA to interfere in the activities of NGOs and to revoke the license of any NGO by administrative decree—a power previously reserved to the courts. After 18 years of withholding official recognition, human rights organizations were finally allowed to register. Registration of NGOs is sometimes denied on the basis of obscure "security reasons." A case in point is that of the "New Woman Center for Research" which eventually sued and won a court ruling ordering MOSA to allow it to register, but by years end the ruling was not implemented. Despite the constraints imposed on the freedom of NGOs, there are at present about 30 associations concerned with human rights or some specific elements of these rights, such as torture or the rights of prisoners.

   Demonstrations are allowed provided prior permit is obtained, but this is usually denied except in rare cases when it serves the interest of the regime to demonstrate the existence of domestic popular opposition to American policies in the region which the President happens to disapprove of.

   The law restricts the formation and activities of labor unions. There are 23 trade unions, all required to belong to the Egyptian Trade Union Federation which is the sole legally recognized labor federation. The International Labor Organization (ILO) has criticized single federations as an infringement on the freedom of association.

4. **Freedom of Speech and the Media**. Though the Penal Code and the Press Law contain vaguely worded statutes that would severely restrict freedom of speech, yet in practice freedom of expression is largely available, and the opposition press is able to criticize the government in the harshest of terms, though direct attack on the President is avoided since the law prohibits anything that may be construed as "undermining the dignity" of the Head of State.

   While the government was tolerant of free expression if restricted to the written word it was far less so toward NGOs that engage in advocacy,

and absolutely intolerant of those that take their activism to the streets. The Ibn Khaldun Center for Development Studies which dared to cross the final red line was shut down and its founder and chairman sociologist, Prof. Saad Eddin Ibrahim and 27 of the Center's staff were arrested and brought to trial in a State Security Court on charges that included defaming Egypt abroad, and receiving foreign funds without authorization ($250,000 from the EU) to raise voters' political awareness and encourage citizen participation in elections. After three years and two heavily flawed trials that sentenced Dr. Ibrahim to 7 years imprisonment, Egypt's Court of Cassation finally, in a landmark ruling, in March 2003, acquitted him and his colleagues of all charges.

The Penal Code and libel laws also prohibit criticism of the military or foreign leaders. Open public discussion of sectarian tensions between Muslims and the Christian Copts is discouraged as a topic that fosters the divisiveness within the Egyptian society. The President, under continuous pressure from the Syndicate of Journalists, accepted to eliminate imprisonment as a penalty for defamation, but the bill when presented to parliament was defeated, indicating clearly that strong forces of the old guard within the ruling party felt threatened by increasing the margin of press freedom.

The broadcast media is entirely owned and strictly controlled by the state, and presents the official point of view except for occasional instances when opposition personalities are given brief access to present alternative views. Satellite TV is freely available as well as access to the internet.

5. **Freedom of Religion**. The Constitution maintains that Islam is the religion of the state, and is the main source of legislation while providing for freedom of religion and the practice of religious rites. However, the government places restrictions on the building or renovation of churches which are not applicable to the building of mosques. All mosques must be licensed, and the government has sought to control the sermons in mosques because of incidents where radical Islamists took advantage of this religious forum to incite people to subversive activities. Although not specifically banned in the Constitution, the government prohibits proselytizing by non-Muslims, or the conversion of Muslims to another faith. Converts from Islam to Christianity while not legally prosecuted, nevertheless face societal discrimination and governmental harassment which may include repeated questioning, denial of travel abroad, and the refusal to amend civil documents to reflect their new religious status.

6. **Women and the Marginalized.** The Constitution provides for equality between the sexes, but in practice, certain laws and social customs discriminate against women. The Penal Code penalizes a wife guilty of adultery with a heavy prison sentence, while an adulterous husband is exempt from punishment unless the crime takes place in the marital home. Personal Status Law also discriminates against women with regard to divorce and child custody.

   Women represent about 30% of the entire workforce, but in certain field they are more heavily represented, such as the educational sector (45%), and the government bureaucracy (38%). About 13% have attained

high-ranking posts in the government (general director, under secretary, or cabinet minister). The Judiciary, however, remains closed to women, although, in late 2003, the President appointed the first female judge to the bench of the Supreme Constitutional Court.

Women have a very low participation rate in politics. Only two women won a contested seat in the 454-seat parliament, seven others were appointed by the President who is by law entitled to allocate 10 parliamentary seats. Numerous NGOs focus exclusively on women's concerns. The Egyptian government has shown considerable concern for women's rights, thanks to the persistent efforts of the First Lady, Mrs. Susan Mubarak. A Presidential Decree in 2000 established the National Council for Women (chaired by Mrs. Mubarak), which plays an important role in proposing and advocating policies that promote women's empowerment, and designs development programs that benefit women.

Although the Constitution prohibits discrimination on the basis of religion, the Coptic Christians, who represent about 10% of the population, complain of a governmental bias against them. They point to restrictions imposed on the building of churches or their repair (while mosques are exempt from such restrictions), and their very low representation—far lower than their weight in the population—in the higher echelons of government. While the President himself, and his closest advisors have been sympathetic to Coptic demands, and the rights of women. There are 7 Copts in the 454-seat Parliament, 6 of whom were appointed by the President. The 32-member cabinet has also 2 Coptic ministers. However, the pervasive Islamist trend in the country continues to constitute an impediment to the desired liberal reform that would recognize the full rights of women and do away with all forms of discrimination against Copts.

II. Prospects for Democratic Change

Perhaps among all Arab countries, Egypt has the most developed institutional infrastructure that could sustain a full-fledged democratic system. Moreover, Egyptians are not unfamiliar with democratic practices, which prevailed during the first half of the Twentieth Century. At present, the entire political discourse, among both the public and within the government, is saturated with the call for reform, but little reform seems to be taking place. The odd phenomenon is that the opposition is almost unrestricted in its freedom of expression, but is totally ineffective in terms of causing any change. The malaise seems to reside in the great weakness of political parties. It is only when parties succeed in taking root among the general population and are able to aggregate and articulate the various interests in society that the hopes for a transition to a genuine democracy will be close to fulfillment.

Iraq

Capital	:	Baghdad
Date of Independence	:	3/10/1932
Area	:	437072 Km²
Population (in millions)	:	25 (in 2003)
Rate of Population Increase	:	2.78% (in 2003)
Ethnic Groups	:	75-80% Arabs, 15-20% Kurds, 5% Turkmen, Assyrians & others (in 2002)
Religious Groups	:	97% Muslims (60-65% Shi'a, 32-37% Sunna) 3% others
Illiteracy	:	60%
No. of Provinces	:	18 governorates
Polity	:	Republic
Head of State	:	Civil administration under the represetnative of the International Coalition, in cooperation with a 25-members Iraqi Ruling Council
No. of Political Parties	:	The "Baath" party was the single ruling party before March 20, 2003. Now tens, but the exact number is unknown.
GDP (in millions)	:	$58,000 (in 2002)
Income per Capita	:	$2,400

Overview

Iraq as a state was established in 1921 by a League of Nations mandate to be ruled by a British-installed Hashemite monarchy. It remained a British protectorate until it won independence in 1932. In 1958 a military coup overthrew the regime and killed the royal family, the prime minister and several of the ruling elites. A succession of other coups followed until in 1968 the pan-Arab Baath party seized power and ruled until the overthrow of Saddam Hussein in April 2003, by coalition forces led by the United States. Under U.N Security Council Resolutions 1483, 1500 and 1511 an Interim Administration sponsored by the Coalition Forces was put together as caretaker until sovereignty is assumed by an internationally recognised representative government.

Iraq's population includes Arabs, Kurds, Turkmen, Chaldeans, Assyrians and Armenians. In terms of religion the variety of faiths in Iraq are Shia Muslims (Arabs and Kurds) (66%), Sunni Muslims (Arabs and Kurds) (28%), Christians (including Chaldeans and Assyrians) (8%), and a small number of Jews, and Baha'is.

Under Saddam Hussien the minority Arab Sunni regime ruled with an iron fist, suppressing ruthlessly any opposition however mild. In response to Kurdish uprisings in the North demanding an equitable share in the governing of their region Saddam Hussein bombed and gassed entire villages in Kurdistan. The regime also adopted a policy of forced Arabization, expelling Kurds from their homes in districts traditionally part of Kurdistan (like Karkouk) to replace them with Arabs.

The Situation After the Overthrow of Saddam

It is impossible to speak meaningfully in 2003, after the fall of Saddam, of civil society and democratisation in the absence of the institutions of a stable state with a central government in control of the entire territory of the country. Suffice it to say for now that the toppling of Saddam has opened the door to a new era of political freedoms never seen before in the entire history of Iraq, not to mention the 30-year cruel despotic rule of Saddam Hussein. Tens of political parties have been established, most of which of course are parties in name only. Tens of newspapers and magazines are currently in circulation, and freedom of assembly and demonstration are uninhibited. The country however, is living in a cauldron boiling with the ingredients of sectarian conflict (between Shi'a and Sunni Muslims) and ethnic strife (between Arabs and Kurds and Turkmen). Perhaps the only luminous aspect of Saddam's regime was its secularism, which entailed no religious discrimination, and its support of women's freedoms to participate in public life. The present situation carries the dangers of infusing political life with religious dogma—as the Shi'a majority makes ready to take power—which will necessarily involve a retraction in women's rights if fundamentalists assume the upper hand and the traditional laws of Islamic Shari'a come to determine the norms of societal life. In that case, the extent of religious freedoms also will probably be diminished for non-Muslims.

A Note on the Shi'a of Iraq

The Shi'a, under Saddam Hussein, were oppressed, deprived from posts in the upper echelons of the state, and prohibited from all public manifestations of their religion, including public celebration of their feasts. Their seminaries, schools and other religious institutions were heavily repressed and often shutdown, and distribution of their religious literature was banned. Despite these gross manifestations of religious intolerance and discrimination there was no campaign of collective persecution against them by the Sunni minority and its ruling regime.

The fortunes of the Shi'a changed drastically after the fall of Saddam Hussein, as they now stand poised to dominate the political arena by virtue of their 66% majority in the population.

The toppling of Saddam's regime and the occupation by the Coalition Forces have created a new highly fluid and turbulent situation involving all the ethnic and religious groups of Iraq, as well as giving rise to internal divisions, fostered by ambitions of leadership, within each group, including especially the Shi'a community, which now exhibits three major trends: (i) The conservative right led by Sistani, the most eminent Shi'a cleric in Iraq, which adopts a cautious but cooperative attitude to the Coalition Forces, but would like to see their quick departure; (ii) The revolutionary Shi'a youth, led by the young political ambitious cleric Moktada al-Sadr, who are vehemently against the continued presence of the Coalition Forces; and (iii) The Shi'a allies of the Coalition Forces, which support the latter's extended stay

to help rebuild Iraq. Each of these forces is jockeying for power in anticipation of the withdrawal of the Coalition Forces and the transfer of sovereignty to the Iraqis.

A Note on the Kurds in Iraq

The Kurds represent the largest minority population in the Middle East. Their total number is estimated at 30 million. Their largest concentrations are in four major countries: about 44% in Turkey, 30% in Iran, 18% in Iraq and 4% in each of Syria and Armenia, plus some 120 thousand in Lebanon.

Since the turn of last century, the Kurds have struggled to establish an independent state, or at least gain a large measure of autonomy and control over their own affairs within the countries in which they reside. To these efforts the governments of Turkey, Iran and Iraq have consistently reacted with harsh discriminatory policies—that often included military campaigns—aimed at assimilation or otherwise suppression. In Iraq, despite discrimination against them the Kurds were nevertheless recognized as an ethnic minority—a recognition that was denied them, until lately, in both Iran and Turkey. All three countries, however, have constantly endeavored to keep the Kurds weak and divided.

No ethnic group in the region has suffered as much as did the Kurds under Saddam Hussein. While they represent about 18-20% of the Iraqi population, they have been subjected by Saddam's regime to all forms of discrimination, culminating in the mid 1980s with the infamous Anfal genocide campaign in which the Kurds were subjected to attacks by poison gas that claimed the lives of some 5000 victims and maimed many more. The Kurdish situation witnessed important developments in 2003 as a consequence of the wars in Iraq in 1991 and 2003. Since the Gulf war of 1991 the Kurds have enjoyed 13 years of unofficial self-government, virtually independent of Saddam Hussien's regime. This was achieved as a result of a no-fly zone imposed by the Americans over the Northern part of the country, known as Iraqi Kurdistan. Although the Kurdish landscape is riddled with complex internal strife between a multitude of factions, it is safe to say that the two largest and most influential Kurdish political parties are the Patriotic Union of Kurdistan (PUK), and the Kurdistan Democratic Party (KDP). After years of bitter armed conflict between these two parties they finally reached in the mid 1990s a modus vivendi (brokered by the United States) whereby each ruled independently over a region of Iraqi Kurdistan.

Besides these two main parties there are three smaller Islamic parties with ties to the Muslim Brothers, of which the Islamic Support Group is the most active as well as the most dangerous, in view of its grand goal of imposing Shari'a on the whole region, using violence if necessary against the West as well as against any Muslims whom they deem to be agents of American imperialism.

The Kurds after the war: The invasion of Iraq by the American coalition forces and the demise of the Saddam regime has raised conflicting feelings among the Kurds. While they are glad to be rid of the menace of Saddam, they feel apprehensive about the possible loss of the autonomy they enjoyed over the last 13 years, should the Americans seek to bring them once more under a strong central government. While

the Kurds believe that they are entitled to have an independent state of their own they do not speak of any such ambition. Instead, they demand a large measure of autonomy under a federal system and adequate representation in the central government. In addition the Kurds are eager to redress some of the wrongs they suffered under Saddam. In particular they wish to see the estimated 100,000 Kurdish families of Karkouk who were driven by Saddam's regime from their homes and replaced by Arabs, repatriated and allowed to regain their houses.

At this point Karkouk presents a serious problem, on two counts: the first is that it lies just outside the present boundaries of Kurdistan and has a large Kurdish population, about 40%, while the remaining 60% is divided mainly between Turkumans, Arabs and Assyrians. The second is that it is rich in oil reserves. These two factors make it a natural prize for Kurdish expansionist ambitions, particularly since Saddam had admitted once that Karkouk was indeed part of Kurdistan. This situation has given rise to sporadic armed conflict in Karkouk between the Kurds and both the Arab and Turkumans. Furthermore, the general turbulent and unstable situation in Iraq and its attendant fears and apprehensiveness has also sparked violence between Kurds and Arabs in Northern Iraq.

The Relation between the Kurds and other Minorities: Since the fall of Saddam considerable tension has arisen between the Kurds on the one hand and the Arabs and Turkumans on the other, which erupted in sporadic violence (in May and August of 2003) that caused the loss of lives. The Arabs claim that the Kurds have expansionist designs and are engaged in a campaign aimed at effecting demographic changes in favor of the Kurdish inhabitants through the use of violence coupled with a Kurdish discourse that seeks to give traditional Arab locations Kurdish names. The Turkumans in Karkouk too complained and began to arm themselves while appealing to Turkey for assistance to stop Kurdish aggression. Arabs in the North as well as in Mousal and other parts of Iraq registered similar complaints, in mass demonstrations, against alleged Kurdish attacks aimed at driving them from their houses, claiming that they were once Kurdish homes from which the Kurds were forcibly evicted by the Saddam regime.

Political Rights and Civil Freedoms in Kurdistan: For the last 13 years Iraqi Kurdistan has shown a remarkable rate of development in both the economic and socio-political domains. Under the UN oil-for food program (which allowed Iraq to trade its oil for humanitarian goods) and with financial aid provided by the United States, the Kurds have prospered economically. In that period of stable autonomous government (at least since 1995 when the two main parties agreed to a cessation of conflict and the division of power) many important democratic institutions were established and continued to function affectively. Consequently, in Kurdistan civil society has flourished in an environment that permits a very high level of freedom of speech and association and an unfettered press—a boon that is enjoyed not only by the Kurds but also by Arabs, Turkumans and Assyrians who live in the Kurdish region.

The Future of the Kurds in Iraq: The Kurds are currently represented by 5 delegates in the 25 Transition Council. These representatives, as well as Kurdish public opinion, indicate in strong terms that they cannot accept a return to the old system where a strong central government would rule over all of Iraq including their Northern region. The last 13 years of self-rule and democratic freedoms are not something they are willing to give up, hence their insistence on a federal arrangement that would ensure preservation of their present way of life—a way that has revived their Kurdish identity and language and allowed their ethnic culture to flourish once more.

Jordan

Capital	:	Amman
Date of Independence	:	25/5/1946
Area	:	89,213 Km²
Population (in millions)	:	5 (in 2003)
Rate of Population Increase	:	2.78%
Ethnic Groups	:	98% Arabs, 1% Chirks, 1% Armenians
Religious Groups	:	92% Muslims (Sunna), 6% Christians, 2% others
Illiteracy	:	9%
No. of Provinces	:	12 governorates
Polity	:	Traditional Monarchy
Head of State	:	King Abdallah II
No. of Political Parties	:	20
GDP (in millions)	:	$22,800 (2002)
Income per Capita	:	$4,300

Overview

The Hashemite Kingdom of Jordan was established by a league of Nations mandate in 1921, and remained a British protectorate until it gained its independence in 1946. The first King Abdullah ruled until his death in 1951. He was succeeded briefly by his unstable eldest son Talal, who was soon replaced in 1953 by his son Hussein. Hussein ruled for 46 turbulent years in which his country and the entire Middle East witnessed many dramatic events. The 1948 Arab-Israeli war caused a massive influx of Palestinians into Jordan, who now comprise about 60% of the Jordanian citizens. The Arab defeat in the 1967 war led to Jordan losing control of the West Bank which it was administering on behalf of the Palestinians since the end of 1948 war, in the wake of which Israel was established as a state. Throughout the 1950s and up to the end of the 1980s, the King ruled absolute over the polity. During that period, an emasculated parliament existed in some periods and was suspended in others, and political and civil liberties were severely restricted. In 1989, however, difficult economic conditions provoked widespread rioting which raised urgent demands for greater freedom and better representation. This led the government to rapidly take some liberal steps, including the scheduling and implementation of free elections later that year. By the time Hussein died in 1999, Jordan was facing deep economic problems. This prompted the young new King Abdullah II to launch economic reforms in order to attract foreign investments, but Jordanians remained disillusioned by the 1994 peace treaty with Israel when the promised prosperity which they were told would ensue from it did not materialize.

In September 2002, the Al-Aqsa Intifada broke out in the Israeli-occupied West Bank and Gaza causing enormous repercussions in Jordan given the Palestinian majority of its citizens. The destabilizing effect of the Intifada caused the King to suspend parliament and rule by decree, issuing tens of "emergency laws", many of which restricted freedoms of expression and association and weakened due process protections. The suppression of civil liberties intensified in 2002 with the intensification of anti-American and anti-Israeli sentiments among the population.

I. Political Rights and Civil Liberties.

1. **The Executive, Political Parties and Elections.** Executive power is invested in the King who has discretionary power to dismiss the cabinet, the upper house, and the parliament, and the authority to establish public policy by decree. The legislature is composed of a 55-member Senate (upper house) appointed by the King and a popularly elected 110-member Chamber of Deputies (lower house). In 2002, a new law allowed the King to appoint up to 50% of the mayors and the municipal councils. Some 20 political parties are operating in Jordan but the electoral law of 1993 which required a single member per district has worked in favor of traditional elites over party candidates, thus weakening the representation of parties in the National Assembly. The elections held on 17/6/2003 were free and fair. They produced an overwhelming 81% majority composed of traditional tribal chiefs, and conservative elements, mainly former military officers, businessmen, and former top bureaucrats. Another important outcome was that the Islamist parties won only 19%, and no woman of the 54 who ran was elected. Both the national election and the municipal elections were free and fair.

2. **The Judiciary, Trials, and Detention.** While the Constitution provides for an independent judiciary, it remains in practice subject to executive pressures and interference via the Ministry of Justice and the Higher Judicial Council whose members are appointed by the King. The Council was given in 2001 greater independence and jurisdiction over the judicial branch while limiting the Ministry of Justice's control over judges. The judicial system includes the usual criminal and civil court levels plus state security courts (SCC), which try cases of sedition, insurrection, financial crimes, drug trafficking and offenses against the Royal Family. SCC may have on their panel military judges who seemingly have received adequate training in civil law. Trials are open and due process is usually observed. Shari'a Courts apply family law to Muslims, while Christians have separate family law courts.

   Arbitrary arrests and detentions are prohibited by law but this is not always observed in practice. Authorities frequently hold the accused for long pretrial detention periods during which they are denied legal counsel until just before the trial date. In November 2003, the domestic press reported that the King ordered the release of 245 detainees deemed to constitute no threat to public security. The government uses the threat of arrest and detention to encourage journalists to practice self-censorship. Jordanians, in general, have little protection from arbitrary arrests and detentions which can be, by law, up to 15 days without charge.

3. **Civil Society and the Freedom of Association.** Non–governmental organizations (NGOs) of various political and social orientation are routinely licensed. In 2003, NGOs succeeded in pressuring the government to modify the restrictions it had intended to introduce in the law governing professional syndicates and the law relating to the licensing of associations in civil society. Freedom of assembly, however, remains heavily restricted.

Demonstrations are banned by law unless prior permission is obtained from the government. However, permits are not often denied, and even protests which the government finds objectionable are usually allowed but only after extensive negotiations with the organizers. Workers in the private sector, and in some public sectors also, have the right to form unions. About 30% of the workforce is organized in 17 unions, all of which must join the General Federation of Jordanian Trade Unions, which is subsized and monitored by the government. Labor laws do not protect foreign workers, which leads to widespread abuse, specially of South Asian domestic servants.

4. **Freedom of Speech and the Media.** Though guaranteed in the Constitution, freedom of expression is restricted in practice. The Press and Publications Law (PPL) and the Press Association Law impose severe restrictions on the operation of newspapers and magazines. The government also resorts to intimidation of journalists to pressure them into practicing self-censorship. Citizens criticize the government openly, but may be prosecuted for slandering the Royal Family, or the government or foreign leaders; or for "sowing sedition within society." The PPL grants the government wide discretionary powers to impose fines, withdraw licenses, shut down newspapers and control their content. This power has been attenuated somewhat by referring some decisions to the judiciary. Free speech is further restricted by amendments to the Penal Code that permit prosecution of citizens guilty of publishing, writing or airing materials that "could be construed to harm or incite to harm or insult" individuals, or negatively affect "the state's reputation and dignity." The strong Islamist presence in Jordanian society has tended to restrict freedom of speech, and their members in parliament pressure the government to ban activities that are not compatible with Shari'a. On 17/2/2003, three journalists were sentenced to prison terms from two to six months for "insulting the dignity of the state" and "blaspheming the Prophet Mohammed" in a published article. The newspaper was also shut down for two months. The same year, Jordanian poet Moussa Hawamda was sentenced to three months imprisonment for "insulting religions."

   The broadcast media, being completely state-owned, is more regulated than the press. But in 2003, the government, for the first time, allowed the opposition access to the television in the days before the national elections on 17/5/2003. The government has also encouraged the establishment of private radio and TV stations. By 8/9/2003, the government had received applications for several radio and three TV stations. The Muslim Brothers have also expressed their intention to apply for starting their own stations.

5. **Freedom of Religion.** According to the Constitution, Islam is the religion of the state. The Constitution provides for freedom of religion provided that religious practices are "compatible with public order and morality." All persons are free to practice their faith openly, but proselytizing Muslims to abandon Islam is prohibited. The government subsidized part of the running costs of mosques and other Islamic institutions. Non-Muslim religious institutions receive no such subsidies but are tax-exempt. Not all Christian denominations have been legally recognized, nor are the Druze and Baha'i faiths recognized. However, there is no record of any religious group being

banned from practicing its faith The Shari'a courts handle all family concerns for Muslims, while non-Muslims are governed by special courts that apply the laws of their faith. There exists some discrimination against adherents of unrecognized religions.

6. **Women and the Marginalized.** The law provides for equality between men and women and prohibits bias or discrimination on the basis of race or ethnicity. Yet in practice women and some minorities suffer from discrimination in employment and other areas. Women have not always enjoyed equal pay for equal work, and social pressures have tended to discourage women from pursuing a career. Women enjoy equal political rights but face discrimination under Shari'a in family matters, such as marriage, divorce, inheritance and child custody, as well as in regard to pensions and social security benefits. Men are accorded lenient treatment in so-called "honor" crimes against women for alleged sexual misconduct. Women constitute only 14% of the workforce but the government is exerting efforts to recruit women into the civil service. In February 2003 the government included a six-seat quota for women in the Chamber of Deputies. There are three female ministers, seven women in the Senate, and six in the Chamber of Deputies. Of the 110 seats in the lower house, nine are reserved for Christians, nine for Bedouins, and three for either Circassian or Chechen minorities.

    The Palestinians constitute about sixty percent of Jordan's citizens. Their representation in the government is 7 ministers in the 21-Cabinet, 7 in the 55-member Senate, and 16 in the 110-member Chamber of Deputies. Palestinians who sought refuge in Jordan in the wake of the 1948 war were granted full citizens, but those who fled Gaza—which was under administrative Egyptian authorities—after the 1967 war were denied citizenship and only granted a 3-year passport for travel purposes.

II. Prospects for Democratic Change

Although many problems still remain, respect for human rights has of late shown significant improvement. The opening of the doors to political participation by Islamic groups has attenuated their rhetoric to a large extent, and their inclusion in the political game as legitimate players must be counted as a step that enhanced democracy in Jordan.

Kuwait

Capital	: Kuwait city
Date of Independence	: 19/6/1961
Area	: 17820 Km²
Population (in millions)	: 2183161 (in 2003)
Rate of Population Increase	: 3.34%
Ethnic Groups	: 45% Kuwaitis, 35% Other Arabs, 9% South Asians, 4% Iranians, 7% others
Religious Groups	: 89% Muslims (49% Sunna, 40% Shi'a), 11% Christians, Hindus and others
Percent of Illiteracy	: 16.5%
No. of Provinces	: 5
Polity	: Traditional monarchy
Head of State	: Emir (Prince)
No. of Political Parties	: There are no political parties
GDP (in millions)	: $ 34200 million (in 2002)
Income per Capita	: $ 15000 (in 2002)

Overview

Kuwait existed as a political entity since the early eighteenth century. It became a British protectorate in 1899 and gained full independence in 1961. In 1990 it was overrun by the armies of Iraq under Saddam Hussein. In 1991, Kuwait was liberated by an allied coalition led by the United States. Since then Kuwait has lived under the constant threat of a renewed Iraqi aggression, that is until the United States, at the head of another coalition, launched a military campaign in March 2003 against Iraq and toppled the Saddam regime.

All Kuwaiti Emirs since 1756 came from the al-Sabah family which held strong ties with the most prominent merchant families and tribes.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The country's first constitution (1962) accorded the Emir broad executive powers, as well as legislative power which he shares with a popularly elected National Assembly (parliament). The Kuwaiti Parliament acts as a partial check on the powers of the ruler but its influence was undermined by a series of restrictions imposed by the executive on political and civil liberties. Eventually, parliament was suspended altogether from 1976 to 1981; then again it was suspended from 1986 up till 1992, when it was restored again after the Iraqis were driven out in 1991. Since then Kuwait remains the only Gulf country, perhaps the only Arab country, which has a legislature that serves as a strong check on executive power. It is also the only Arab parliament that forced cabinet ministers to resign, and succeeded in passing legislation over strong objections from the Royal Family and the reigning ruler, such as the law that required segregation of universities by gender. The Assembly is strong enough to force executive concessions by withholding approval of bills, submitted by the government until it yields on other key issues. The drawback of this legislative

strength is that it frequently created a deadlock between the government and the legislature that slowed the pace of economic and other reforms. Political parties are banned; however, several political blocks—with well known affiliations—exist and are active, very much like political parties, in the National Assembly. Moreover, the government permits civic groups to be politically active. The last national elections took place on 26/7/2003 and were free and fair. Some 246 candidates competed for the 50 parliamentary seats, and voter turnout was 81%. The results showed a solid representation of the traditional tribal groups. The Islamists maintained their same representation of 15 seats while the liberal block suffered a considerable defeat when most of its leaders lost their seats. This vibrant contestation for the legislature is all the more remarkable considering that political parties are banned. Universal suffrage does not exist since women continue to be denied the vote in national elections (but permitted in municipal ones).

2. **The Judiciary, Trials, and Detention.** The Judiciary system is not entirely independent for the judges are appointed by the Emir for limited terms and renewal of their tenure is subject to governmental approval. Trials are open and relatively fair, and defendants can appeal verdicts and are entitled to legal counsel. Arbitrary arrests and detention are rare; and suspects can only be detained for 4 days in police custody before being brought before an investigating official. Prisons, according to U.S. State Department reports "meet or exceed international standards." Misdemeanors and felonies are tried in secular courts, while Islamic courts deal with personal status cases and family issues, with Sunni and Shi'a Muslims having separate Shari'a courts.

3. **Civil Society and the Freedom of Association.** The Constitution provides for freedom of association and assembly. But these freedoms in practice are limited. All NGOs must obtain a license and register in the Ministry of Social Affairs (MOSA) which maintains a close control on all organizations and is empowered to dissolve any association if it deems its activity inappropriate or if it has misused its financial resources. Public gatherings require prior governmental approval, but in practice, however, associations organize informally, and informal social gatherings, called diwainyas, provide a forum for political debate and discussion. There are 52 licensed NGOs, but since 1985 MOSA has granted only six new licenses. Pending are 92 NGO requests for registration. However, hundreds of unlicensed associations operate without hindrance. Licensed NGOs receive government funding that cover operating expenses.

   Though demonstrations are discouraged, there were a few peaceful public demonstrations which the government allowed without interference. There is no universal suffrage, only male citizens above the age of 21 may vote. Trade unions and professional syndicates are permitted provided only one exists per industry or profession. Private sector workers have the right to strike. Since government subsidizes 90% of the expenses of labor unions the latter are deeply influenced by the state.

4. **Freedom of Speech and the Media.** The broadcast media is government owned, but the press is privately owned and is permitted a wide margin of freedom of expression. Several laws allow the government to indict journalists

on a variety of offenses. The law permits the government to shut down any publication and arrest its writers on such vague charges as "distortion of public moral principles," "denial of God and his prophets," "harming the national interest" or "seeking the fragmentation of society." But this law has rarely been applied and none were ever convicted under its terms. The press regularly criticizes the government and its domestic and foreign policies. But direct criticism of the Emir is avoided through self-censorship. The government has proposed a legislation that would set a limit to the number of newspapers that are licensed each year, but strong protest from journalists has so far held up passage of the bill. Internet service and foreign satellite TV access is unhindered, but the government has in January 2003 shut down the offices of the Jazeera station in Kuwait, and it called upon the Gulf states to boycott the channel because of its alleged biased reporting on Kuwait.

5. **Freedom of Religion**. Islam is the State religion. Sunni and Shia Muslims worship freely and so does the 150,000 Christian community. Sikhs, Hindus, Baha'is and Buddhists may practice their religion freely in private but are not allowed to build public places of worship.

6. **Women and the Marginalized**. Women are subject to discrimination legally, politically and socially. They are denied the right to vote in parliamentary elections but may do so in local ones. They are disadvantaged in matters of divorce and inheritance which are based on Shari'a, and must have the permission of a close male relative to obtain a passport. Also, if married to a non-Kuwaiti, they cannot confer citizenship to their children. Women remain underrepresented in the public and private workplace, but their numbers are growing. Although women are denied suffrage yet their associations, which enjoy strong government support, are numerous and have considerable influence. There are no women in the cabinet, but a few hold relatively senior non-political posts in the state bureaucracy.

   A major problem in Kuwait is that of the 80,000 bidoon or stateless people, who are considered illegal residents and denied full citizenship rights unless they can prove that their forebears were residents in Kuwait since 1965.

II. Prospects for Democratic Change

Although Kuwait has the oldest and most advanced democratic experience in the Gulf region, yet it has so far failed to establish modern democratic institutions. It remains captive to inherited traditional tribal practices and culture. Despite the ban on political parties, it succeeded in organizing tribal groups into effective political forces. Nevertheless, the system contravenes basic democratic norms and values which are grounded in: the equality of rights for all citizens regardless of gender or religion, the separation of powers within the state, and the establishment of competing political parties which would allow change of government through free and fair contested elections. Under the present system, Kuwait can not change its government democratically.

Lebanon

Capital	: Beirut
Date of Independence	: 22/11/1943
Area	: 10,452 Km²
Population (in millions)	: 4 (in 2003)
Rate of Population Increase	: 1.34% (in 2003)
Ethnic Groups	: 95% Arabs, 4% Armenians, 1% others
Religious Groups	: 70% (Muslims different sects), 30 Christians
Illiteracy	: 22%
No. of Provinces	: 5
Polity	: Republic
Head of State	: Emil Lahoud
No. of Political Parties	: 19
GDP (in millions)	: $19,300 (in 2002)
Income per Capita	: $5,400

Overview

Lebanon was established as a French protectorate in 1920 in accordance with the Anglo-French Sykes-Pico Agreement following World War I. In 1943, it won its independence. Lebanon since then has managed to maintain a precarious democracy based on the allocation of parliamentary quotas and the division of the top government posts between the 17 officially recognized different religious and ethnic groups that make up the Lebanese population. The mandated Christian presidency and the original 6-5 ratio of Christian to Muslim parliamentary seats came under challenge in 1975 when the initial slight Christian majority turned into a minority due to demographic changes brought about by an increased birth rate among Muslims and the influx of Muslim immigrants. In 1975 war broke out between Muslim militia aligned with the Palestinian guerrilla forces that resided in the country and Christian militia determined to maintain the status quo of Christian privilege. The war lasted for 15 years and brought into the fray Syrian military forces, and Iranian involvement (after 1979) in support of Lebanon's large Muslim Shi'a community. This confusion of the situation was further compounded by the Israeli invasion of Lebanon in 1982 in an attempt to oust the Palestinian forces that had founded a strong base there from which it conducted sporadic border attacks against Israel. The war was brought to an end in 1989 on the basis of an agreement concluded in Ta'if, Saudi Arabia, brokered by several Arab countries. The agreement provided for a Syrian military presence in Lebanon to maintain peace and provide the stability needed for the rebuilding of the state's institutions which had been destroyed completely by the 15-year civil war. Since then the Syrian forces have remained, mainly in the Beqaa Valley of Lebanon. Their presence is a source of deep controversy between major sections within Lebanese society.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The President, who must be a Maronite Christian, is chosen for a 6-year term that is unrenewable by the 128-member parliament, subject (since the end of the civil war) to prior Syrian approval. The political quota arrangement requires that the Prime Minister be a Sunni Muslim and the Speaker of the Chamber of Deputies (Parliament) a Shi'a Muslim. Parliamentary seats are divided equally between Muslims and Christians. Political parties are subject to the same law that governs NGOs and are legally free to operate, except for the Christian Lebanese Forces Party which is banned since 1994. According to international observers the last parliamentary elections of 2000 were flawed—mainly due to Syrian influence and weak security—though the recorded irregularities were fewer than in the previous elections of 1996. In September 2001, municipal elections were held for the first time since 1963 in 64 villages and towns previously occupied by Israel. The elections were judged to be fair and free.

2. **The Judiciary, Trials, and Detention.** Although the Constitution provides for an independent judiciary, it is in practice subject to executive pressure, as well as Syrian political pressure, which affects the appointments in key judicial and prosecutorial positions. The Ministry of Justice appoints judges on the basis of religious affiliation. Trials are generally public, and defendants rights are generally observed even in military courts which try cases of treason, espionage and draft evasion. Although the law requires a warrant to make an arrest this is often ignored. The most recent report (2001) by the Parliamentary Commission for Human Rights puts the number of prisoners at 7230, with only 2500 of them actually tried and convicted. Security forces continue the practice of arbitrary arrest and detention of suspected criminals; but it also often detains, for short periods, political opponents and critics of the Syrian government.

3. **Civil Society and the Freedom of Association.** Freedom of association and assembly though provided for in the Constitution are in practice partially restricted. Newly established NGOs need only notify the Ministry of the Interior and provide information about their purpose and internal by-laws in order to be registered. There has been a great increase in the last few years in the number of private voluntary associations, many of which, though, are of a sectarian nature; but there are also several that are exclusively concerned with human rights.

    Public demonstrations are not permitted without prior approval from the Ministry of the Interior, although peaceful demonstrations in support of Palestinians and other causes have been allowed to proceed without government interference. However, unauthorized anti-Syrian demonstrations are invariably harshly suppressed by the security forces which often beat and arrest participants. Clashes between the police and students demonstrating against anti-democratic measures occur often. All workers, except government employees, may establish and join unions. The labor force is about 900,000,

14% of whom are members in 210 labor unions and associations. Unions are free to affiliate with international federations, and 37 Lebanese federations with some 200,000 workers were represented in the General Confederation of Labor.

4. **Freedom of Speech and the Media.** The Constitution provides for freedom of speech and the press but this is not strictly observed in practice. Activists critical of government policies have frequently been arrested and detained and journalists and broadcasters have been intimidated in order to force them into self-censorship. Despite such government attempts to curb criticism tens of independent newspapers continue to attack government policies. The press is privately owned and many receive foreign funding and reflect the opinions of their financial backers. The government's Surete Generale censors all foreign publications and films. A special Publications Court tries offenders who "attack the dignity of the President or foreign leaders." A 1991 security agreement concluded with Syria, prohibiting the publication of any material that may be harmful to either state, has succeeded in causing journalists to practice self-censorship in matters related to Syria in order to avoid the risk of prosecution. During 2003 the government has repeatedly harassed, abused and detained journalists.

   There are six independent television stations and 36 independent radio stations, owned by prominent political and business elites. Satellite television is available widely. The broadcast media operates relatively freely with only occasional governmental intervention. A recent prominent example of such intervention is the case of MTV whose news editor was prosecuted in 2002 for "broadcasting material that damages ties to a sisterly nation" (Syria) and "assailing the dignity of the President, slandering the security services and undermining social order." Internet access is free and widely used.

5. **Freedom of Religion.** Although sectarianism is intrinsic to the Lebanese political system, the Constitution guarantees freedom of religion, and this is protected in practice. The government subsidizes all religions, and Muslim religious judges who deal with family law receive a monthly salary from the state. There is no state religion; politics, however, is largely based on the principle of religious representation. There is no legal prohibition against proselytizing; but traditional norms strongly disapprove of such activity. Occasional sectarian violence occurs on a very limited scale and is attributable to individuals rather than collective action.

6. **Women and the Marginalized.** Though the Constitution provides for gender equality yet in practice some aspects of the law and traditional social norms discriminate against women. Religious courts may require a battered wife to return home despite a clear history of being subject to abuse. The law is discriminatory in its lenient treatment of "honor crimes" in which a man kills a wife or female relative for alleged sexual misbehavior. Women also do not receive equal social security provisions. No woman has ever been a cabinet minister and only three women are in the 128-member parliament. Numerous

NGOs exist that are concerned mainly with the welfare of women, and many of these conduct campaigns to encourage women to participate actively in public life.

Nearly 390,000 Palestinian refugees live in overcrowded camps. The government prohibits the building of permanent structures in the camps on grounds that this would encourage permanent residence. The refugees have no right to own property, and suffer from numerous deprivations in services and social benefits as a result of their status as stateless foreign elements in the country.

II. <u>Prospects for Democratic Change</u>

The infrastructure of a vibrant democracy is already in place. The sectarian political system will, nevertheless, continue to impede the development of a full-fledged democracy. Lebanon remains, however, a far more open and liberal society than any other Arab country. Unfortunately, this openness, together with the multiplicity of religious sects and their affiliated political quota representation, have invited outside forces to play an influential role in Lebanese politics through the funding of its supporters and agents, thus fostering a fragmentation of the political system and a weakening of the central government—all factors which negatively impact the cause of democracy.

Libya

Capital	: Tripoli
Date of Independence	: 15/6/1951
Area	: 1,759,540 Km²
Population (in millions)	: 5 (2003)
Rate of Population Increase	: 2.39% (2003)
Ethnic Groups	: 97% Arabs $ Berbers, 3% Greeks, Malts, Egyptians, Pakistanis, Turks, Indians & Tunisians
Religious Groups	: 97% Muslims (Sunna), 3% Other religions
Illiteracy	: not available
No. of Provinces	: 25 municipalities
Polity	: Republic
Head of State	: Colonel Moammar Khadafi
No. of Political Parties	: There are no political parties
GDP (in millions)	: $ 41,000 (2002)
Income per Capita	: $ 7,600

Overview

After centuries of Ottoman rule Libya was invaded by Italy in 1912, then occupied by the British in the wake of the Second World War. In 1951, the pro-Western king Idris of Libya succeeded in gaining his country's independence. In 1969, Colonel Mu'ammar al-Qadhafi seized power in a military coup amidst growing anti-Western sentiments, particularly against the giant oil companies and the military bases in the region. During the 1980s and most of the 1990s Qadhafi espoused a policy of virulent hostility towards the West. His sponsorship of terrorism, specially towards Western interests, and his assassination of Libyan political dissidents living abroad, made him an international pariah. The suspected Libyan involvement in the 1988 bombing of Pan Am flight 103 over Lockerbie Scotland prompted the United Nations in 1992 to impose a broad range of sanctions on Libya. The United States on its own had already imposed sanctions on Libya because of its sponsorship of terrorism. With the economy stagnating and the country's infrastructure in a state of advanced deterioration as a result of the sanctions Qadhafi took radical steps to end Libya's international isolation. He handed over for trial in a Scottish court the two Libyans suspected of executing the Pan Am bombing (one was acquitted and the other sentenced to life), and paid billions of dollars in compensation to the families of the victims of the bombing. Likewise, he paid compensation to the families of those killed in the bombing of a French plane downed over Niger in 1989. While working to improve his image abroad, Qadhafi has become increasingly estranged in the Arab World. Increasingly critical of the Arab countries for not having supported him during his years of isolation, and for their political failure to assume a common policy with regard to the Palestinian and other problems, Qadhafi, once a foremost leader of Arab unity, now disengaged himself from his Arab neighbors and turned towards Africa.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The Libyan system rejects political parties and the Western concept of democracy, espousing instead a so-called Third Way that is purportedly superior to both capitalism and

socialism. In theory, the country is to be ruled through a series of grass-roots popular congresses, which together constitute the General People's Congress (GPC). These congresses are then to select a General People's Committee whose members are supposedly the heads of the various government ministries. The GPC is, ostensibly, the legislative forum. It is supposed also to act as the liaison between the masses and the ruler. In practice, however, Qadhafi exercises absolute authority by either direct intervention or through the manipulation of the various congresses and committees of this bizarre form of government.

2. **The Judiciary, Trials and Detention**. The Judiciary is not independent of the government. Indeed the Security forces have the authority to sentence people to prison terms without trial! Such summary judicial proceedings have been used as a means to suppress domestic dissent. Apart from the usual formal levels of courts of first instance, courts of appeal and the Supreme Court, special revolutionary courts try political offenses. Such trials are often held in secret, sometimes in the absence of the accused. The security forces extra-judicial have power, specially in political cases, that enables them to by-pass the judiciary entirely. Arbitrary arrests are commonplace and torture is routinely practiced. The private practice of law is illegal; all lawyers must be registered members of a special department in the Ministry of Justice. By law the government may hold detainees incommunicado for unlimited periods; many are held in unofficial detention centers controlled by the Revolutionary Committees. Under the Purge Law which is intended to combat corruption, drug trafficking and atheism, tens of businessmen, traders and common people have been arbitrarily arrested on charges of corruption or the funding of Islamic fundamentalist groups (who are perceived to be a serious threat to the regime). In 2002, the People's Court in Tripoli tried 152 professionals, who were arbitrarily arrested four years earlier, for involvement with Islamic organizations. Two were sentenced to death, 68 received life imprisonment, 66 were acquitted and the rest received various prison sentences. In that trial, lawyers were not permitted access to the case files, nor were they allowed to consult with their clients. In fact lawyers were even denied attendance of most sessions of the trial and the judge appointed court clerks to stand in on their behalf. Presumably the lawyers could only submit written briefs. The entire trial and the sentences handed down were such a blatant travesty of justice that, under international pressures, the Qadhafi Foundation (headed by Qadhafi's brother) interceded with the government, asking that the accused be released and integrated into society since there was no evidence that they perpetrate any wrong-doing against the regime.

3. **Civil Society and the Freedom of Association**. The law permits the formation of civil associations, but the few that do exist are closely monitored by the government Revolutionary Committees and have little freedom. Independent trade unions and professional syndicates are prohibited, and workers are not permitted to organize in unions. Workers however, may join the National Trade Union Federation, which is controlled by the People's Committee system. The Constitution does not provide for the freedom of assembly, and no public assembly is permitted without prior

government approval which is denied unless the meeting supports the government's positions.

4. **Freedom of Speech and the Media**. The Libyan Constitution guarantees the right of free speech "within the limits of the public interest and the principles of the Revolution". This vague indeterminate clause has imposed a serious restriction on freedom of speech and opened the door to numerous violations by the government against the rights of citizens, facilitated and augmented by the operation of a pervasive system of informants that created an atmosphere of distrust at all levels of society. However, of late, the Libyan government has shown a greater level of sensitivity to the issue of human rights and in 2001, 2002 and 2003 has released hundreds of prisoners detained on offenses related to freedom of expression. But it remains that freedoms of speech and the press are severely limited, especially with regard to criticism directed at Qadhafi or the government. The regime, however, has shown some tolerance to differences of opinion in the People's Committee meetings. The government owns and controls both the print and broadcasting media. The state publishes a daily newspaper (with a circulation of about 40,000) and the Revolutionary Committees publish several smaller newspapers. The government does not permit the publication of any opinions contrary to its own. All foreign publications are severely censored. JANA, Libya's official news agency, is the designated organ for the regime's views. Access to the Internet and Satellite television is widely available.

5. **Freedom of Religion**. Freedom of religion is restricted only in so far as concerns militant and fundamentalist forms of Islam. Other faiths are tolerated. Most Islamic institutions are under state control, and Islamic groups whose beliefs and practices deviated from the state's approved teaching of Islam were banned. Christian churches operate openly, but the building of churches is restricted by the government to one church per denomination per city.

6. **Women and the Marginalized**. The Libyan Constitution prohibits any discrimination based on gender, but traditional attitudes and practices continue to discriminate against women. Qadhafi has called for greater opportunities for women in education and the workplace, and has enlisted women in the military. In 1980s Qadhafi sought greater freedoms for women by challenging traditional Islamic customs that impeded women's emancipation. He criticized imposition of the headscarf for women, or the necessity of a male guardian to accompany a traveling woman. But by the mid 1990s Qadhafi modified his liberal policy toward women in order to counter and preempt the Islamists' criticism of his regime. In 2003, however, women were enlisted in the traffic police force, and were called upon by Qadhafi to take up military training and to assume a greater role in development of their community. Although the status of women remains unequal to that of men, the opportunity for women to make notable social progress has increased in recent years. Thus female participation in the workforce, particularly in services, continues to increase despite the

persistence of traditional mores that do not encourage women's participation in public life.

The small tribal Berber minority in Libya continues to suffer overt discrimination. Public display of their culture is prohibited nor is it permitted to use Berber names in registering birth certificates or in any other official document. Law No. 24 of 2000, seemingly with an eye on the Berbers, has also banned the use of any language other than Arabic.

II. Prospects for Democratic Change

The Libyan regime is a dictatorship relying on an extensive security apparatus. However, there are some strong indications that the near future will witness a significant opening in the regime. Two steps are particularly telling. In may 2003, Qadhafi suddenly declared that "the people do not understand Socialism, hence it shall be abandoned in Libya". This was followed by steps to privatize most public sector industries. This shift to a free market–oriented capitalist economy is likely to promote a corresponding measure of political liberalization. The second element pushing in that direction also is Qadhafi's new rapport with the West following the removal of sanctions against Libya. It is not far fetched to expect that he would court Western economic help to revive his country's ailing economy after years of stagnation, by showing greater concern for democratic values and the human rights of his people.

Mauritania

Capital	: Nouakchott
Date of Independence	: 28/11/1960
Area	: 1,030,700 Km^2
Population (in millions)	: 3 (in 2003)
Rate of Population Increase	: 2.91% (in 2003)
Ethnic Groups	: 40% Arab-Africans, 30% Arabs, 30% Africans (in 2003)
Religious Groups	: 100% Muslims
Illiteracy	: 59.3%
No. of Provinces	: 12 states
Polity	: Republic
Head of State	: Mawia weld Sayed Ahmed Taye'e
No. of Political Parties	: 15
GDP (in millions)	: $5,300
Income per Capita	: $1,900

Overview

Mauritania gained its independence in 1960 after 60 years of French colonial rule. In 1978, a military coup overthrew the one-party civilian government of Mokhtar weld Daddah. Then in 1984 an internal power struggle within the military brought Colonel Mawia weld Sayed Ahmed Taye'e as head of the ruling junta. In 1992, weld Taye'e was elected president in a deeply flawed multiparty election, the first to be held in the country. Weld Taye'e then ruled at the head of virtually a one-party regime when the main opposition parties boycotted the 1992 national elections. The Mauritanian people include the Beydane (white Maurs) of Arab descent, and the Haratine (black Maurs). Other non-Muslim black Africans inhabit the south frontier area and constitute about one third of the population. Mauritania is one of the world's poorest countries and most of its vast territory is arid land with little natural resources. Most of its wealth is concentrated in the hands of a few elite who control the country's economy which is predominantly based on fishing and iron ore exports.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections**. Mauritania took a step towards political reform when Mauritanians in 2001 went to the ballot boxes to choose their representatives for the first time in relatively open national and municipal elections contested by more than 15 political parties. However, the ruling Social Democratic Republican Party (PRDS) was the only party that fielded candidates in all constituencies; it also gained most of the seats that would have gone to independent candidates, after the electoral law was modified to ban independents. The PRDS won 64 out of the National Assembly's 81 seats. In the 2002 municipal elections, which were free and fair, only six opposition parties ran candidates. The opposition won only 15% of the seats. In the November presidential elections, President weld Taye'e won with 67% of the vote amid widespread allegations of

fraud. In fact the government arrested the leading opposition presidential candidate a few days before the elections, giving reasons of national security.

2. **The Judiciary, Trials, and Detention**. The judiciary is not independent. Though the Constitution provides for judicial autonomy, in practice the courts are deeply influenced by the executive through the latter's ability to appoint and dismiss judges. Moreover, the system's poorly educated and poorly trained judges are vulnerable to social, financial and tribal pressures. There is a modernized system of courts that are all run on the basis of the Islamic principles of Shari'a. Trials are fair and open and due process is observed; however women are not treated as equal to men in all cases.

   Arbitrary arrests and detentions are not infrequent but reports indicate that there is a growing respect for the legal rights of citizens. The application of constitutional safeguards vary from case to case; while detention is supposed not to exceed 48 hours, it can be extended up to 30 days in security cases. Attorneys are not available to a prisoner until officially charged. Following the suppression of the attempted military coup in June 2003, the government arrested tens of suspects from all shades of the political spectrum, and even the Secretary General of the ruling party was arrested on June 22, and large numbers of suspects in the army, the police and the bureaucracy were summarily fired without trial.

3. **Civil Society and the Freedom of Association**. The Constitution provides for the freedom of association but in practice the government imposes restrictions in order to suppress opposition parties and organizations. All NGOs must register with the government. About 600 NGOs exist, including human rights and anti-slavery groups, and operate freely without hindrance though many are critical of the government. Other NGOs though not yet accorded official status are nevertheless not prevented from functioning. Some black African groups and Islamist parties are banned. Large meetings by political parties or NGOs require prior permission from the local authorities. In 2003, the government shut down the offices of several humanitarian institutions belonging to the UAE, as well as the Saudi Islamic Institute and the International Islamic Aid Institute. Workers are free to join unions, and the right to strike but only subject to the decision of an arbitration committee.

4. **Freedom of Speech and the Media.** The Constitution provides for freedom of speech and the press; however, a system of pre-publication censorship by the Interior Ministry severely constrains the freedom of expression. All newspapers must register with the Ministry of Interior. At present, 300 newspapers and journals are licensed, but about 200 of these do not publish regularly, and some others have not published at all. Some 25 newspapers publish regularly including two that are government owned. The law permits the suppression of any publication that discredits Islam or endangers national security. The broadcast media is government–owned and operated, and strongly supports government views. The access of opposition parties to radio and television is extremely limited. Satellite TV and the internet are

available without restrictions. Some private newspapers maintain web sites that are not interfered with by the government.

5. **Freedom of Religion**. The Constitution states that the country is an Islamic Republic. However, the few Christian citizens and the foreign Christian community practice their faith openly and freely. On June 30, the government recognized only the Maliki form of Islam, and banned mosques from taking part in any political activity. Religious groups are not required to register with the government but NGOs with religious affiliations — which are all limited to humanitarian and development activities— are required to register. There is nothing in the law books that prohibits non-Muslims from proselytizing, but in fact, such proselytizing is made impossible by the Press Act which prohibits any publication that contradicts or threatens Islam. While Christians may possess Bibles, they are neither printed nor sold publicly. The government also suppressed suspected Islamic extremists.

6. **Women and the Marginalized**. The Constitution provides for equality regardless of sex or ethnic origin. But societal discrimination against women is intrinsic to the country's traditional culture. Women rarely resorted to the legal system to redress wrongs, preferring instead to resolve disputes within the extended family or the ethnic group to which they belong. Domestic mistreatment of women exists but seems to be on the decline. Female Genital Mutilation "FGM" continues to be widely practiced (75% of all women have suffered FGM), but is currently on the decline in urban areas. The Constitution provides for full political rights to women. In the November elections they constituted the majority of voters. Five women occupy ministerial level posts, and two are Secretaries of State. Three women have seats in the 81-seat National Assembly, and three in the 56-seat Senate.

   Ethnic and cultural tensions and discrimination exist between the nomadic Arabic-speaking herders in the North and Center of the country and the cultivators in the South. Despite the prohibitions of slavery since 1981, remnants of the practice continues. Minorities such as the Black Moors, Halpulaars and Soninke are under-represented in government, though in July 2003, a Black Moor, for the first time, was appointed Prime Minister. These three minorities occupy seven of the 21 ministerial posts, and are represented by ten members in the 56-member Senate.

II. Prospects for Democratic Change

The country's narrowly-based authoritarian regime has gradually liberalized over the last decade, but most power remains in the hand of the President and a very small elite. The Mauritanian society remains largely tribal, and although the government has made some progress lately to modernize yet the polity lacks many of the basic democratic institutions. The strong role of the military in the policies of the country remains a hindrance to the development of civil society and the democratization of the regime.

Morocco

Capital	: Rabat
Date of Independence	: 2/3/1956
Area	: 446,550 Km²
Population (in millions)	: 32 (in 2003)
Rate of Population Increase	: 1.64% (in 2003)
Ethnic Groups	: 99.1% Arabs & Berbers, 0.7% others, 0.2% Jews
Religious Groups	: 98.7% Muslims, 1.1% Christians, 0.2% Jews
Illiteracy	: 48%
No. of Provinces	: 37 governorates
Polity	: Traditional Monarchy
Head of State	: King Mohamed VI
No. of Political Parties	: 14
GDP (in millions)	: $115,000 (in 2002)
Income per Capita	: $3,900

Overview

After 44 years of French colonial rule, Morocco gained its independence in 1956 as a hereditary monarchy under King Mohammad V. On his death five years later, he was succeeded by his son King Hassan II, who in turn was succeeded in 1999 by his son Mohammad VI. The reign of Hassan II was marked by restlessness and rebellious attempts during the 1970s. In 1971, rebellious guards massacred more than 100 at the King's birthday party and the following year, the country's strongman Interior Minister General Ofkir sought to down the King's 727 aircraft using fighter planes. The withdrawal of Spanish forces from the Western Sahara in 1975 created an opportunity for the King to mobilize nationalist sentiments on behalf of Moroccan sovereignty over the evacuated territory, as well as a chance, in this climate of national fervor, to assert his power. Thus thousands of dissidents were imprisoned or exiled, and hundreds disappeared with no trace.

In 1991, following the ouster of the Iraqi forces from Kuwait the Moroccan regime, like many other Arab states in the region, began a limited liberalization process. Mohammed VI ascended the throne in 1999 to rule over a country with a rate of 20% unemployed, a population in which about 50% were illiterate and 30% below the poverty line, and a state economy burdened with huge domestic and foreign debts. A grass roots Islamic movement was gathering support under such conditions by providing badly needed services which the government failed to provide.

The new king met these challenges by launching an extensive program of economic and political liberalization. The hard line Minister of the Interior, Driss Basri, was dismissed and thousands of political prisoners were released; families of those who died in captivity were given compensation, and exiled dissidents were invited to return. Perhaps most impressive of all was the King's public apology to all those who suffered human rights abuses at the hands of the regime. No other Arab leader had ever made such an apology, or indeed ever apologized for anything. This mood of relative tolerance encouraged pressures for much larger margins of freedom, and in December 2002, thousands of demonstrators celebrated the U.N. human rights day, demanding radical democratic changes. Fearing things might be getting out of hand, the police arrested many of the demonstrators, but most were soon released.

Human rights conditions continued to improve and in 2002 the King honored his promise for fair and free national elections.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The Moroccans' right to change their government democratically is limited because of the dominating powers of the King over the entire political arena. For he is not only the supreme executive but also shares legislative powers with the two houses of representation: the 325-member Chamber of Representatives elected by direct ballot of voting citizens, and the Chamber of Advisors (*Majlis al-Mustasharin*) whose members, according to the new law of March 2003, are selected by professional syndicates, trade unions and other organizations. The King, however, can dissolve the legislature at his discretion and rule by decree. The Constitution may not be changed or modified without the King's approval. The cabinet is selected by the Prime Minister who is titular head of the Government, but five sovereign ministerial posts are traditionally appointed by the King: Foreign Affairs, Interior, Justice, Defense, and Islamic Affairs. The government can be dissolved by a vote of no confidence in both houses.

   The 2002 parliamentary elections were the first free and fair elections in the country's history, an example of freedom and fairness rarely witnessed in any other Arab country. Competing political parties were given equal coverage in the press and broadcast media. The government also conducted a wide campaign to urge people to participate in the voting. Some 26 political parties out of 37 competed for the 325 parliamentary seats, of which 295 were to be awarded on the basis of party slates, while 30 seats are reserved for women on the National List. Five women also won seats in their local districts. Voter turnout was 52%. The most striking aspect of the election results was the 36 seats won by the Islamic Justice and Development Party—a number four times larger than their representation in the 1997 parliament. In contrast, that same party came out eleventh in the order of seats won in the municipal elections held on 12/9/2003, though in terms of electoral votes the party ranked eighth in districts where candidates ran individually, but second in the major cities where voting was by party slates.

2. **The Judiciary, Trials, and Detention.** The Constitution provides for an independent judiciary but in practice the courts have been subject to governmental interference. Furthermore, there is evidence of considerable corruption, resulting in investigations and the disciplining of judges, and a number have been dismissed. The judicial system includes the usual court levels: courts of first instance, appeal courts, and the Supreme Court. However, state security cases—deemed to be those relating to the monarchy, Islam, or the territorial integrity of the country—are tried before a military tribunal. Trials are usually open and reasonably fair though sometimes they are rushed through and large groups are tried collectively. In October 2003, new family courts were established to deal with Personal Status issues, such as divorce, child custody and other family concerns.

The Constitution did not prohibit arbitrary arrest and detention. These practices are frequently used by the police, though lately provisions for due process have been extensively revised. Under the new anti-terrorist laws the period of administrative detention (without charge) has been increased from 48 hours to four days, with a possibility for a further extension of another four days. Defendants are held incommunicado during the periods of detention and may be subject to abuse and torture during interrogation.

3. **Civil Society and the Freedom of Association**. The Constitution provides for freedom of association but in practice it is limited. To operate legally all organizations must register with and obtain approval from the Interior Ministry. Generally, the government has not obstructed the formation of NGOs, except those of radical Islamists and leftist groups. Nevertheless, there are currently over 20 active Islamist NGOs accorded official recognition. There are three legally recognized human rights organizations (HROs) and several concerned with women's rights. An important achievement was the ability of the HROs to establish an ongoing dialogue—over the issues of democracy and women rights—with the Justice Party, the most important Islamic organization in Morocco.

   The law permits the government to suppress all demonstrations and mass gatherings, however, the authorities have not resorted to this except occasionally, usually not interfering in peaceful marches and meetings.

   The law permits workers to have their own trade unions. Approximately 600,000 of the country's 10 million workers are members of the 19 workers' unions. Of these, five—including an Islamic-oriented union—dominate the labor market. The law prohibits anti-union discrimination, and incorporates ILO Convention 87. Workers may bargain collectively and strike, but sit-ins are specifically prohibited.

4. **Freedom of Speech and the Media**. The Constitution provides for freedom of expression, but the anti-terrorist law and the Press Code impose severe financial penalties and prison terms for defamation and libel, as well as for anything that is deemed disparagement of the monarchy, Islam or Morocco's territorial rights to the Western Sahara. Thus Journalist Ali Lmrabet was sentenced in May 21, 2003, under the Press Code to four years imprisonment and a fine equivalent to $2000 for "disparaging the monarchy" and "challenging the country's territorial integrity." Five other journalists received sentences for other offenses. The law may also punish journalists with three to five years prison sentences and the payment of damages for libeling public officials. The Press Code also prohibits articles that threaten the public order. Within the limits set by these restrictions the press publishes freely and is frequently critical of government policies, and has exposed cases of corruption and reported on official scandals. The government, however, may censor newspapers and order that specific items of news not be published.

   There are presently about 2000 domestic and foreign newspapers and magazines in circulation. Since all newspapers and magazines are permitted to function only if licensed, the government maintains a controlling power through the threat of revoking this license in case the newspaper exceeds the limit of dissent tolerated by the regime. The government continues to

prevent publication of the newspapers of the Islamist Justice and Charity Organization and has also blocked two of its web sites. The broadcast media is government owned and controlled and presents the official view. Satellite TV is available as well as access to the internet.

5. **Freedom of Religion**. Islam is the state religion, and the King is designated Commander of the Faith. The Constitution provided for freedom of religion and the government generally respects this right in practice, allowing non-Muslims, both Jews and Christians, to openly practice their faith. The government, however, prohibits proselytizing for any faith other than Islam, and some restrictions are placed on the publication and distribution of non-Muslim religious materials, such as the ban on the importation or sale of Bibles written in the Arabic language. But, on the other hand, the three major monotheistic religions enjoy governmental grants, and subsidies. The government funds the teaching of Islam in public schools, and provides an annual fund for Jewish public schools. Christian churches, orphanages, hospitals, and schools operate without restrictions or the need to obtain a license. The government continues to encourage tolerance and respect among religions.

6. **Women and the Marginalized**. The Constitution mandates the equality of rights regardless of gender, but in practice both traditional customs and family law (which is based on Shari'a) discriminate against women. A draft legislation for a new Personal Status law proposed by the King in October 2003 provided for considerable egalitarian measures for women with regards to marriage, divorce, inheritance and guardianship of children. The proposal was approved by the cabinet and by years' end was slated for discussion in parliament. Of particular note is the fact that the Islamic groups, did not oppose this new bill—as might have been expected—which gives women additional rights and guarantees, including the setting of restrictions on polygamy. The Penal Code, however, remains lenient on men convicted of crimes committed against their wives, particularly with respect to the so-called "honor" crimes.

   Women constitute 35% of the workforce but few rise to the top positions in their profession. Many NGOs focus on women's issues and the promotion of women's civil and political rights, while many others provide women with education in family planning, hygiene and child care. To involve women in political life the government set 30 seats for women in parliament. In the September 2002 elections five women won additional seats in their local districts.

   Approximately 60% of the population are Berbers or partially of Berber descent, including the Royal Family. Berbers claim that their culture and language are not accorded proper recognition, and that the activities of their associations are restricted by the authorities. Although in September 2003, the teaching of the Berber language was commenced in 317 primary, and secondary schools, yet Berbers complain that the government continues to Arabize the name of their villages and towns.

II. Prospects for Democratic Change

Morocco has made considerable progress along the democratic path by holding free and fair contested elections, and allowing a large measure of unrestricted religious freedom to all faiths. But the separation of the three branches of government remains unfulfilled. Political parties remain weak, but the associations of civil society have demonstrated vigorous activity in defense of the rights of women and human rights in general. Government restrictions on freedom of expression in the press and the broadcast media still leave much to be desired in view of the numerous arrests of journalists in 2003. The new Family Code introduced by the king is a landmark in the history of Morocco and a model for emulation by other Arab states. No doubt, overall, Morocco is one of the most advanced Arab countries on the path of democracy.

Oman

Capital	: Masqat
Date of Independence	: 1650
Area	: 212,460 Km²
Population (in millions)	: 3 (in 2003)
Rate of Population Increase	: 3.38% (in 2003)
Ethnic Groups	: Arabs, Belushis, South Asian (Indians, Pakistanis, Serilankis, Bengalish, Africans
Religious Groups Abadia)	: 100% Muslims (Sunna, Shi'a,
Illiteracy	: 25%
No. of Provinces	: 6 regions and 2 governorates
Polity	: Traditional monarchy
Head of State	: Qaboos Ben Said Al Said
No. of Political Parties	: There are no political parties
GDP (in millions)	: $22,400 (in 2002)
Income per Capita	: $8300

Overview

Oman is the oldest independent state in the region. Indeed it was a sovereign state since 1650 when Sultan Bin Seif expelled the Portuguese from this south-east tip of the Arabian peninsula. Oman's geographic location, as gateway to the Gulf, has great strategic importance. At present, Oman is ruled by descendents of the al-Busaid dynasty which came to power in 1749. Although Oman had developed in the mid nineteenth century into a commercial empire that extended up to the eastern coast of Africa, it gradually sank soon thereafter into decline and economic stagnation. Since then, Oman remained a backward and isolated state, until its present ruler, Sultan Qaboos, came to power in 1970. At that date, Oman had only about 10 Km of asphalt road, and no more than 1000 automobiles in the entire country. Sultan Qaboos, drawing on Oman's modest revenues from oil, mounted a vigorous campaign to modernize the country and end its diplomatic isolation. Oil represents 40% of the country's GDP but Oman is far less rich in oil than its Arab neighbors. Agriculture and fishing are major sources of income for many Omanies.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections**. Citizens do not have the right to change their governments. The Sultan retains absolute power in both domestic and foreign affairs. There are no political parties in Oman, and no effective independent legislative body, or direct elections of any sort except to the Consultative Council. In the 2003 elections to the Council, voter turnout was 74%. There is the State's Council, most of whose members are appointed by the ruler, as well as an 82-member elected Consultative Council that has no real legislative powers. However, the Council serves as a conduit between citizens and the government and also reviews all draft laws and makes legislative recommendations to the Sultan. The Sultan maintains ultimate control over the electoral process and vets all candidates running for

the Consultative Council. Thus in effect, there are no formal democratic institutions, and the Sultan has absolute power and the authority to rule by decree. Citizens, however, may petition the government indirectly through their traditional patrons or local governors or raise their grievances directly to the Sultan during his regular tours of the country.

2. **The Judiciary, Trials, and Detention**. The Judiciary, in violation of the Constitution, is in practice not independent, but subordinate to the Sultan who appoints all judges and has the final say on all court rulings. Secular courts handle misdemeanors and criminal cases while Shari'a courts rule in Personal Status cases involving divorce, inheritance and other family issues. A State Security Court deals with cases referred to it by the government when deemed necessary. Trials in such courts are not public and there is no appeal of its verdicts; moreover defendants are not permitted to have defense lawyers. Arbitrary arrests and detentions are rare, but the police has the authority to arrest without need for a warrant to do so. Legal procedures are not often respected in the period of pretrial detention.

3. **Civil Society and the Freedom of Association**. The country's Basic Charter provides for freedom of association and assembly; however, all NGOs must be registered with the government, and "their goals must be legitimate and their functioning in conformity with public law." Due to the vague wording of the law governing NGOs many associations, particularly religious ones, are kept waiting for years to be granted a license. There are presently about 10 NGOs currently registered that operate in the fields of culture, women's concerns and community services, and 38 government-approved women's associations, some of which are partially government-funded. There are no human rights organizations or any labor or trade unions. Public gatherings are allowed only after obtaining a prior governmental permit. Demonstrations and strikes are banned.

4. **Freedom of the Speech and the Media**. The Basic Charter provides for freedom of speech and the press as well as freedom of assembly; but in practice these are restricted. The government tolerates criticism on the internet but this barely receives coverage in the press. The Press and Publication Law (PPL) permits censorship of the press to purge anything that is "politically, culturally, or sexually offensive." Journalists practiced self-censorship though the government tolerated some criticism, particularly with regard to foreign affairs. Criticism of the Sultan is totally prohibited in any form or medium. There are five daily newspapers in Arabic and two in English, which the government subsidize with a view to discourage in-depth coverage of controversial domestic issues. The press usually expresses views consistent with those of the government. In October, the Gulf Press Freedom Organization was established to promote a free press and defend human rights and aid journalists professionally in the Gulf and Yemen. The state owns all broadcasting media which it uses to promote its policies and extol its achievements. No controversial material is aired. Satellite viewing is available; so is access to the internet, although the government blocks sites which it considers pornographic or dealing with politically sensitive topics. Cultural events, such as plays, concerts, lectures, seminars and conferences

must obtain prior government permission; hence all organizers of cultural events avoid controversial subjects that might cause the authorities to deny permission. The government restricts academic freedom by setting boundaries to discussions of controversial topics, which if crossed could lead to dismissal.

5. **Freedom of Religion.** Islam is the state religion. Most Omanis are Sunni Muslims. There is, however, a small Shi'a minority and much smaller Christian and Hindu communities. Freedom of worship is available to all faiths, but non-Muslim proselytizing is prohibited as well as the distribution of any non-Muslim literature. Mosque sermons are expected to adhere to government guidelines and are monitored for possible political content that might be inimical to government policies.

6. **Women and the Marginalized.** Oman is one of the most progressive countries in the Gulf with respect to the rights of women. The government exerts great efforts to educate women, and has given them the right to vote and run in elections. Four women have been appointed in 1999 to the State's Council, and in the 2003 elections of the Consultative Council 262 thousand went to the polls of which 100 thousand were women—double the number of women voters in the 2000 elections. The number of women candidates were 15, but only two won a seat on the Council. In 2003, a few women attained prominent status: one on the board of the Businessmen's Council, and another, Aisha bin Khalfan, was elevated to the level of minister, thereby becoming the first woman in the entire Gulf region to attain such a post, and another woman was appointed ambassador to Holland. Women hold about 30% of governmental jobs and enjoy equal educational opportunities. Despite these gains women in Oman remain captive to traditional tribal customs that do not encourage women's participation in public life. Although women enjoy equal political rights they suffer from legal discrimination in matters that are subject to family law, and are victims of social biases that tend to maintain male dominance and keep many women from working.

II. <u>Prospects for Democratic Change</u>

The Sultan is considered by most of his people—as well as by others—a capable and benevolent leader. His pursuit of economic reforms has been vigorous and yielded remarkable results, which preserved a high level of stability during the last three decades. But, on the political front, few reforms have been enacted, and the country lacks basic democratic institutions of governance.

Qatar

Capital	: Doha
Date of Independence	: 3/9/1971
Area	: 1,437 Km²
Population (in millions)	: 0.8 (in 2003)
Rate of Population Increase	: 2.87 (in 2003)
Ethnic Groups	: 40% Arabs, 18% Pakistanis, 18% Indians 10% Iranians, 14% others
Religious Groups	: 100% Muslims
Illiteracy	: 17.5%
No. of Provinces	: 9 municipalities
Polity	: Traditional Monarchy
Head of State	: Hamad Bin Khalifa al-Thani
No. of Political Parties	: There are no political parties
GDP (in millions)	: $17,200 (2002)
Income per Capita	: $21,500

Overview

This tiny Gulf state has succeeded in transforming itself in the last eight years from one of the poorest countries in the area, depending mainly on the pearl industry, into one of the highest per capita Gulf Emirates. Qatar has been ruled in the last 150 years by the al-Thani family, which had long adopted the stringent Wahhabi doctrine of Sunni Islam, founded in neighboring Saudi Arabia. In 1995, Crown Prince Hamad Bin Khalifa deposed this father the ruling Emir and immediately embarked on a wide set of economic and social reforms that have thoroughly transformed the country. Emulating his successful neighbor Dubai, he invested millions of dollars in the modernization of the infrastructure in the hope of establishing Qatar as a business and tourist center. Luxurious hotels were built and scores of amusement parks and nightclubs sprang up to cater to foreign visitors. In 1996, he invested $150 million in establishing the al-Jazeera satellite station which, by its bold approach in transmitting news and open discussion of the region's problems, has acquired international recognition and is now watched by over 30 million viewers in the Arab World, and has enormously bolstered Qatar's international prestige..

I. Political Rights and Civil Freedoms

1. **The Executive, Political Parties and Elections**. The Emir of Qatar has taken significant steps to liberalize the country. Political parties are disallowed and the Emir holds absolute executive power, although he does consult with tribal chiefs on major issues. No national elections have ever been held. Municipal elections were held in 1999 in which 228 candidates, including 6 women, competed for the 29 seats of the Municipal Council. None of the women who ran won a seat despite the fact that it is estimated that 70% of all votes cast were by women! Election campaigns were conducted freely and the state's TV station even provided coverage of the debates between opposing candidates. In 2003, new municipal elections

were held in which one woman won a seat. The rate of voter participation, however, was low, ranging between 25% and 35% in the various municipalities. A 35–member Consultative Council is appointed by the Emir. Its role is to provide advice to the government and to review laws proposed by the government before they are sent to the Emir for final approval. In 2003 a referendum was held on the new proposed Constitution which mandates separation between the three branches of government, freedom of speech and the press, and freedom of association. It, however, does not allow the formation of political parties.

2. **The Judiciary, Trials, and Detention**. The judiciary is not independent since most judges are foreign nationals employed under contract which may not be renewed or may even be revoked at any time. A separate system of Shari'a courts handles Personal Status cases and family matters. Trials are public and reasonably fair and defendants have the right to appeal verdicts. Arbitrary arrests by the police are relatively rare, but in certain security cases defendants have been held for prolonged periods before being brought to trial. However, detainees have the right to legal counsel, and due process is generally observed.

3. **Civil Society and the Freedom of Association**. The Constitution provides for freedom of association and assembly, but in practice these freedoms are severely restricted. Freedom of association is limited to professional and cultural groups that are registered with the Ministry of Social Affairs. Several activist groups concerned with issues of the environment, consumer protection, and Palestinian rights have been denied license. Public demonstrations are illegal, though in practice the government has tolerated anti-Israel protests. Workers may not form autonomous unions, but may join committees composed of management and labor representatives to discuss working conditions, wages, and time schedules. The government's Labor Conciliation Board mediates disputes, and private sector workers are permitted to strike in case of failure of the mediation. Foreign nationals represent about 75% of the workforce and are often subjected to abuse by employers, which they frequently refrain from reporting for fear of losing their residency permit. The Human Rights movement gained a strong boost when the Emir in May 2003 decreed the establishment of the governmental National Committee for Human Rights which includes eight representatives from the various ministries as well as five prominent public figures including one woman. The role assigned to the Committee in the Royal Decree was "to ensure the implementation of the goals specified in all the international human rights conventions to which Qatar is a signatory." However, the Decree has not indicated the mechanisms by which the Committee can attain the goals set for it. All the same, the existence of the Committee is bound to increase the awareness of human rights issues in Qatar.

4. **Freedom of Speech and the Media**. Freedom of expression is limited. The press has enjoyed a wide margin of freedom since Emir Hamad Bin Khalifa came to power in 1995. Numerous newspapers are published in Qatar with little government censorship. The broadcast media is mainly

owned by the state and generally reflects the government's views. Independent media outlets operate with little interference by the government, but exercise self-censorship particularly with regard to foreign policy or the members of the Royal Family. The al-Jezeera TV broadcasting station has gained international recognition for airing the views of political dissidents around the world but it steers clear of touching on domestic issues in Qatar.

5. **Freedom of Religion**. Islam is the official religion in Qatar, and all formal religious institutions are subject to the control of the Ministry of Islamic Affairs. The small Shi'a minority is allowed to practice openly short of organizing public ceremonies and rituals. Officially, non-Muslims may practice privately but are prohibited from all public worship. However, in 2000, the government authorized, for the very first time, the building of three churches to serve the large expatriate Western community working in Qatar, but none of these churches has been constructed to date.

6. **Women and the Marginalized**. The law accords men and women equal political rights, but legal Shari'a law discriminates against women in regard to the issues of divorce, inheritance and other family concerns. Women cannot obtain a driver's license without the consent of a close male relative; and the killing of women in "honor" cases is treated with leniency. According to official statistics women hold 40% of the jobs in the private sector and 45% in the state's bureaucracy. But few women hold top posts in the government. In 2003 Qatar was the first Gulf country to appoint a woman as a cabinet minister. The Emir's sister also holds the ministerial title of Vice President of the Supreme Council of Family Affairs. However, most Qataris, men and women, do not favor a high level of participation by women in public life. Gender segregation is adopted in both the schools and the workplace.

II. Prospects for Democratic Change

Although considerable gradual expansion of political rights and civil liberties has taken place, the reform process has yet to be institutionalized. It appears that a major driving motive behind this reform is the government's strategic decision to augment its partnership relation with the United States. While this policy orientation will likely expedite the democratization process it does carry some dangers if the Qataris, in gėneral, and the major tribal groups in particular, come to perceive the process as merely the vehicle for a Western hegemony that seeks the destruction of the country's Islamic values.

Saudi Arabia

Capital	: Riyadh
Date of Independence	: 23/9/1932
Area	: 1,960,582 Km²
Population (in millions)	: 24,3 (in 2003)
Rate of Population Increase	: 3.27% (in 2003)
Ethnic Groups	: 90% Arabs, 10% Africans – Asians (in 2000)
Religious Groups	: 100% Muslims
Illiteracy	: 21.2%
No. of Provinces	: 13
Polity	: Traditional monarchy
Head of State	: Fahd Ben Abdelaziz al–Saud
No. of Political Parties	: Political parties are disallowed
GDP (in millions)	: $ 242,000 (in 2002)
Income per Capita	: $ 10,500 (in 2002)

Overview

The State of Saudi Arabia came into existence in 1932 when Abdelaziz al-Saud through a combination of conquest and diplomatic alliances managed to expand his domain from the Central Arab region of Najd, where he ruled since 1902, to encompass the entire Arabian peninsula including the holy cities of Mecca and Medina. Since the death of Abdelaziz the kings of Saudi Arabia were chosen from among his 44 sons on the basis of seniority and consensus among members of the Saud family. The present King Fahd ascended the throne in 1982 but because he suffered a stroke in 1996, his brother, Crown Prince Abdullah, is in effect the ruling authority. Since the establishment of the Kingdom in 1932 the Family has ruled with no institutional checks to its absolute authority.

Saudi Arabia has 25% of the world's known oil reserves. Its large income from oil has made possible a social contract between the Royal Family and Saudi citizens, whereby the latter would forego political rights and civil liberties in exchange for material prosperity and an extensive welfare system. Dictatorial control of the country has been facilitated by the enforcement of the stringent Wahhabi interpretation of Islamic law (*Shari'a*). The entire educational system and the whole regime centers around religious indoctrination, while the vast revenues from oil provided a material prosperity which helped cultivate an indolence in the citizens and a laxness in the rulers which prevented the development of an indigenous skilled labor force. Over the last two decades, however, declining oil prices and gross mismanagement of the country's wealth resulted in a steep decline in living standards: per capita income dropped from $23,000 in the early 1980s to $12,000 at present, unemployment is estimated at 35% and rising, and a growing opposition by enlightened religious elements and liberal dissidents are challenging the regime, and calling for radical reforms. While other Gulf monarchs have introduced some limited measure of political reform in the interest of stability and staving off possible unrest, the Saudi ruling family has consistently opposed establishment of even symbolic representative institutions, while maintaining an archaic educational system that remains firmly in place, as princes allied with the Wahhabi religious establishment

continue to block any attempts at reform. The deleterious hold of the ossified and stringent Saudi religious establishment over all aspects of social life is deep and pervasive. In March 2002 eleven Saudi girls died in a fire when the religious police (*mutawwa'in*) blocked the escape of the girls because they did not have on the proper head veil. Al-Qaeda terrorist attacks in 2002 and 2003, which claimed the lives of Westerners and Saudi police, have shaken the Saudi rulers out of their complacency, and will perhaps prod them to reconsider their archaic policies and realize that they cannot continue to live indefinitely as an anachronism in the twenty first century.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** There are no political parties, nor is it permitted to establish any. Nor is it allowed to form any kind of political opposition group. There are also no elections of any sort in Saudi Arabia. But on 13/10/2003, the Prime Minister announced that municipal elections will be held within one year, to establish local councils in which half of the members will be appointed by the government. There is therefore no legislative body to date, and the King holds both executive and legislative power, and is the ultimate source of judicial authority as well. There is nothing to check the absolute power of the King except that he is subject to Islamic law and to the consensus of the ruling family. A Consultative Council of 120 members appointed by the King has no power to legislate but has recently been accorded the duty of reviewing legislation drafted by the government before it is sent to the king for final approval. A council of religious elders and tribal chiefs is sometime convened for consultation by the King. This Council of Senior Islamic Scholars is an important source of religious legitimacy for the ruling family.

   The Basic Law of the country states that the government is established on the principle of "Shura" (Consultation). There are no formal democratic institutions. Communication between the citizens and government are conducted through patron-client relations and by affinity groups such as tribes and families. Theoretically, any citizen may bring his petition to the *Majlis*, an open meeting, held regularly by the King, or in his stead a price or an important official.

2. **The Judiciary, Trials, and Detention.** The Judiciary is subject to the will of the Royal Family. Judges are chosen on the basis of their strict adherence to the principles of Shari'a and are appointed and dismissed as the King sees fit. Trials are usually held behind closed doors and the evidence of conviction is more often than not a signed confession extracted under pressure or torture. The Penal Code, based on Shari'a, cuts the hand of thieves, inflects corporal punishment on a slew of offenses, and mandates the stoning of an adulterous woman. Capital punishment is often executed in a public square using a sword to behead the convicted. About 100 people are executed annually.

3. **Civil Society and the Freedom of Association.** The Saudi Basic Law does not address freedom of assembly and association. There is no civil society to speak of in Saudi Arabia. On 3/1/2003 the government permitted the first ever recognized civil associations—an organization for Saudi journalists and a human rights organization. The government licensed a large number of

humanitarian organizations, and tribal and professional societies (eg. The Saudi Pharmacist Society). Professional "groups" cannot be formed without prior permission. Trade unions are totally prohibited; however, labor committees have been allowed but are empowered only to issue recommendations. Public meetings require prior permission, and must be segregated by sex. Those who hold unsegregated meetings risk arrest and deportation. On 4/8/2003, under the pressure generated by a series of bombings in various cities, the government established a center for debate and the combating of extremism.

4. **Freedom of Speech and the Media**. Freedom of speech is extremely restricted. Criticism of the government or the Royal Family is strictly prohibited, so is anything that might be interpreted as a deviation from orthodox Wahhaby doctrine. The government owns all domestic broadcast media and closely monitors the press and all publications. Foreign papers are severely censored and heavy restrictions are placed on the entry of foreign journalists into the Kingdom. Editors of domestic publications can be removed by the government at will. Satellite dishes are prohibited and internet access is filtered to block web sites that may be considered offensive to Islam or the Royal Family. Public demonstrations are completely prohibited.

5. **Freedom of Religion.** Freedom of religion is non-existent for all who do not follow the Wahhabi interpretation of Sunni Islam. Non-Muslims are completely prohibited from any public expression of worship, and Shi'a Muslims face severe restrictions on public religious practice. Non-Muslim and Shi'a religious literature is banned in the Kingdom.

6. **Women and the Marginalized**. Women play no formal role in politics. In several governorates, though, women's councils were formed to advise governors on issues related to women. The Wahhabi doctrine severely restricts the rights and freedom of women; in effect it reduces them to second class citizens. In most legal, as well as social, affairs the unmarried woman is the ward of her father, if married the ward of her husband, and if divorced the ward of her adult sons or her adult brothers. A woman cannot obtain an identity card or drive a car, or be admitted to a hospitable, without the consent of her guardian. In public, women are segregated from men, barred from most workplaces, prohibited from certain professions such as engineering, law or journalism, taught in separate schools, restricted to "family sections" in restaurants, prevented from traveling anywhere without a male relative, and outside the home required to wear a black garment (*abaya*) that covers the body from head to toe, including the face. The Shari'a law also discriminates against women, in regard to divorce and inheritance, and treats their testimony in court as inferior to that of men.

   The Shi'a Muslims, who constitute about 10% of the population, face severe restrictions on the public practice of their religion and encounter discrimination in employment and other aspects of social life. In court, their testimony is often discounted and their seminaries are banned. There has been also frequent arrests and mistreatment of Shi'a clerics. A Shi'a tribal leader who was once quoted in the Wall Street Journal saying "The government is

making a mistake against us" was sentenced to a term of seven years in prison. There are only two Shi'a in the 120-member Shura Council.

II. Prospects for Democratic Change

The Saudi regime utilizes the modern artifacts of the twenty first century but remains mired in a system more properly belonging to the dark ages. After 9/11 external pressures from the West as well as the bombings that are becoming more frequent in the Capital, Riyadh, and elsewhere, are forcing the Saudi regimen to take some reform measures both in the educational and the political spheres. These, however are no more than infinitesimal steps. To establish the modicum of institutions necessary for a democratic transition would probably require many decades, in which the entire culture would have to undergo also a radical change. It is difficult to imagine that even a beginning can take place under the present regime and its leadership.

Sudan

Capital	: Khartoum
Date of Independence	: 1/1/1956
Area	: 2505810 Km²
Population (in millions)	: 38 (in 2003)
Rate of Population Increase	: 2.71% (in 2003)
Ethnic Groups	: 52% Africans, 39% Arabs, 6% Biga, 2% Foreigners, 1% other
Religious Groups	: 85% Muslims (Sunna), 15% Christians and others
Illiteracy	: 40%
No. of Provinces	: 26 states
Polity	: Republic
Head of State	: Omar Hassan Ahmed al-Bashir
No. of Political Parties	: 20
GDP (in millions)	: $52,900 (in 2002)
Income per Capita	: $1,420

Overview

Sudan is the largest country in Africa. It gained its independence in 1956 after some 80 years of British colonial rule. The Southern part of Sudan (below the 13th parallel) is about one million square kilometers which is almost equal to the size of Egypt. It's inhabitants number about 10 million, most of whom are Christian and animist black Africans. The Anyanya movement representing the ethnic groups of South Sudan have struggled with the Arab Muslim central government in North Sudan since independence, demanding a reasonable measure of autonomy, which they failed to get. This led to the outbreak of a civil war which lasted for the next 47 year with a period of relative peace between 1972 and 1982 when the South was granted considerable autonomy under the accords of 1972. But in 1983 that peace was shattered when General Jafar Numeiri in a military coup removed the democratically elected government in 1969, and decided to restrict the South's autonomy and impose Islamic law (*Shari'a*) in the region. Although Numeiri was overthrown in 1985 successive governments in the North refused to accede to the demands of the South and so the war continued up to the present day, claiming a total of up to 500,000 lives.

The present Islamic government of General Omar al-Bashir, which ousted the democratically elected government of Sadik al-Mahdi in 1989, ruled by means of an alliance between the military junta and Muslim clerics led by Hassan al-Turabi leader of the ruling National Congress Party and Speaker of the National Assembly. The Bashir / Turabi alliance declared Sudan an Islamic Republic, and insisted on imposing Shari'a (Islamic Law) on the South. But tensions within the alliance over the distribution of power eventually led in 1999 to the arrest of Turabi and his detention. In 2002 international mediation efforts proposed a "one country, two systems" plan, in which the central government in the North would accept a secular system in the South. By the end

of 2003 the proposed plan had not yet been endorsed by both sides but clear signs indicate that it will be in early 2004.

I. Political Rights and Civil Liberties.

1. **The Executive, Political Parties and Elections.** The Sudan has 20 officially registered political parties. President Omar al-Bashir's National Congress/National Islamic Front (NC/NIF) won 340 out of the 360 seats in the deeply flawed presidential and parliamentary elections held in 2000, which were boycotted by all major opposition parties. The EU declined an invitation by the Sudanese government to monitor the elections fearing that if it accepted it would be bestowing legitimacy on a patently dictatorial regime. Omar al-Bashir running against former President Numeiri and three other relative unknowns won 86% of the vote. The government claimed a 66% turn out at the polls.

   Sudan has an authoritarian government in which power is in the hands of the President and his party since he came to power in a coup supported by the fundamentalist National Islamic Front. The major political parties remained for the most part marginalized from the political process. But as serious negotiations with the South began by years end the opposition became more vocal in their demand for inclusion, and the government was agreeable in order to legitimize its expected agreement with the Southern forces.

2. **The Judiciary, Trials, and Detention.** The judiciary is influenced by pressures from the executive although on occasion courts displayed a degree of independence and overturned on appeal decisions of lower courts in favor of the government. The judicial system comprises four types of courts: regular courts, military courts, state security courts and tribal courts; these last being mainly in rural areas and handle family concerns and problems arising from conflict over water and other agricultural rights. A Supreme Constitutional Court oversees the constitutional validity of laws. The Constitution provides for prompt open and fair trials but this is often not observed in practice. By law an accused may be detained for 3 days without charge, which can be extended to 30 days, and up to 3 months in security cases. Regular courts provide some measure of due process safeguards, but not so in military and state security courts. Criminal law is based on Shari'a (*Islamic law*) which provides for flogging, amputation (for theft), and stoning (for adultery).

   Persons arrested by the security police have often been held incommunicado for long periods in unknown locations without access to lawyers or family members. In general, however, arrested persons are released after a few days without charge; but if the alleged offence is political the detention period can be quite long. Arbitrary arrests are commonplace and the security forces and associated militia known as the Popular Defense Forces, have a free hand and have been responsible for serious abuses including extra-judicial killings and disappearances. Prolonged detention and torture are not infrequent.

3. **Civil Society and the Freedom of Association.** While the Constitution provides for freedom of association the currently imposed emergency law severely restrains this right. In February 2002, for example, students in the Technological Science College in Khartoum were suspended for human rights activities involving the organization of a symposium in defense of women's rights, and for attending a conference on democracy. In November of the same year the University of Khartoum was closed indefinitely when students protested the attacks on dormitories by pro-government militias.

   There are no independent trade unions. According to the Trade Union's Act, the Sudan Workers Trade Unions Federation, which includes about 800,000 members, is the only legal worker's organization; all other unions are banned. The International Labor Organization (ILO) has registered its objection to the Act, as incompatible with the right of free association. Professional syndicates have usually been the main force pushing for democratizing, but this year witnessed little activity on their part.

4. **Freedom of Speech and the Media.** The Constitution provides for freedom of expression and of the press "as regulated by law." In practice, though, these rights are severely restricted. Intimidation and frequent suspension of newspapers has inhibited open discussion of political issues. Journalists practice self-censorship to avoid government harassment and the closure of their papers. The situation, however, has lately eased a bit. There are presently about 9 main daily newspapers which reflect a variety of political views. Several newspapers also reprinted articles from the international press that were critical of the government. But the degree of press freedom remains restricted and subject to arbitrary governmental coercive action. In February 2002 the editor for the daily Khartoum Mirror was fired for implying that the government was implicated in slavery. In September of the same year the issues of three papers were seized and a journalist arrested for criticizing the government's withdrawal from the peace talks in Kenya. In 2003 the government intermittently closed several newspapers, including al-Awan, al-Ayam, al-Azminha, al-Sahafa, al-Watan and the Khartoum Monitor—all for publishing articles that were deemed offensive in some manner. Kola Beuf a Sudanese author living in the United States was tried in absentia and sentenced to death by a Shari'a court for blasphemy in a book she wrote on the mistreatment of black women by the Arab Muslims.

   The government owns and controls all the broadcast media, which invariably reflect only the government's views. Television has a permanent military censor to monitor all broadcasts, particularly the news. Satellite dishes are restricted on the ground that the Western media is biased against both Islam and the Sudan. The offices of the Qatari Jezeera TV station in the Sudan were shut down, and remain closed at year's end, for airing a program on the conflict in Darfour, West Sudan. The director of the station was detained incommunicado for 7 days before being released. There is no reported record of restrictions on access to the internet.

5. **Freedom of Religion.** Islam is the state religion and the Constitution stipulates that all legislation should be based on Shari'a. Seventy five percent of the Sudanese are Sunni Muslims living mostly in North Sudan. The people in the South are mainly Christians or animists adhering to indigenous beliefs. Although the Constitution provides for freedom of religion the government severely restricts this right in practice. The government places heavy restriction on all non-Muslim forms of worship. Religious groups must register to be recognized and permitted to worship legally. Thus withholding registration of Christian and other non-Muslim groups made it impossible for them to practice their faith publicly, and all attempts to do so subjected these groups to penalties and harassment. While license to build mosques are granted readily the building of churches is extremely difficult and is more often than not denied outright. Moreover, Christian schools and centers suffer occasional harassment and destructive activities by state Islamic militias. Although the government is Islamic it also imposes restrictions on the religious freedoms of certain Muslim groups who seem to have links with the opposition.

6. **Women and the Marginalized.** Women have the right to vote. There are 12 women in the 360-seat Parliament; and there are two female ministers, plus two state ministers. Women face discrimination in matters of marriage, divorce, inheritance and other family concerns, as mandated in Shari'a. Public Order police harass women in the streets if deemed to be immodestly dressed by governmental standards. The President in January 2001 denounced the "International Convention on Eradication of All Forms of Discrimination Against Women" and stated that Sudan would not sign it because it "contradicted Sudanese Values and Traditions." Displaced women from the South were vulnerable to harassment, rape and sexual abuse. Female genital mutilation (FGM) is widespread in the North. It is estimated that 90% of girls in the North have undergone FGM and suffered as a consequence severe health problems. The government does not support the practice and has disseminated information against its ill effects.

There are about 55 parliament members from South Sudan in the 360-seat Parliament. There are 30 Christians in the Council of Ministers, an advisory body to the government.

7. **Note on the Marginalized in the Sudan**

Two major areas and their peoples have been, for years, marginalized by the central government in Khartoum: The peoples in South Sudan, and in Darfour (in West Sudan).

The demographic structure of the Sudan is one of the most fragmented in the world. It comprises 597 tribal communities that speak 150 languages and dialects. Of these the inhabitants of two major regions have suffered from marginalization, discrimination and neglect by the Central Government in Khartoum: (a) The inhabitants of Southern Sudan; and (b) The peoples of Darfour in Western Sudan.

(a) **The People of South Sudan**

The South and North are distinct ethnic groups that have entirely different social, religious and linguistic cultures. The South is clearly African while the North is Arab.

Southern Sudan is inhabited by three major tribal groups. The first is the Nile Group which comprises three tribes: the Dinka tribe (3 million) is which the largest ethnic group in the Sudan; the Nuer tribe which resides in the upper region of the river Nile and extends into Ethiopia; and the Shalak tribe, which is the smallest of the three and is settled along the western bank of the White Nile from Kaka in the north to lake Noo in the South. The second group is the Hametic Nile Group, which includes the tribes of Bari, Mendari, Tubasca, and Turkala. The third is the Sudan Group, and its major tribe is the Zandi, which is settled on the west bank of the Nile along the South and South-West borders of the Sudan.

The civil unrest in the South actually began prior to Sudan's independence from British / Egyptian rule in 1956. With the advent of independence—under the first civil government of Ismail El-Azhari, the people of South Sudan anticipated more equitable treatment. But this was not to be. Successive Sudanese governments attempted to resolve the unrest in the South by forced assimilation of its African ethnic minorities through persistent attempts to Arabize the population and impose Islamic Shari'a. The South resisted then took up arms. Since then, and for the last 47 years, the people of South Sudan have been engaged in a protracted war with the Central Government in Khartoum, which claimed to date more than half a million lives. Arab/Muslim religious extremism and intolerance of the Basheer/Tourabi government (since 1989) continue to fuel the war, though by years end, there was significant international mediation and pressure on both sides that promise an early cessation of hostilities in 2004, to be followed hopefully by a final settlement.

(b) **The People of Darfour**

The people of Darfour suffered, as did those in the South of Sudan, from neglect and marginalization by the central government in Khartoum. Their living conditions suffered further from harsh climatic conditions that caused desertification, destruction of livestock, and famines. The successive military regimes in the Sudan since its independence have never ceased to launch campaigns to Arabize the people of Darfour who though mainly Muslims are not Arabs, but derive ethnically from African tribes. This combination of governmental repression and abysmal living conditions drove the tribes of Darfour to revolt. The government responded with a wide military campaign to quell the insurrection and so an armed conflict ensued in which the Sudanese army and government–supported militia committed serious abuses and crimes against the people of Darfour including the razing of numerous villages. As a result, as many as 3000 unarmed Darfour

civilians were killed, more than 600,000 were internally displaced, and an estimated 100,000 refugees fled to neighboring Chad. At years end international efforts were being made to force the Sudanese government to desist in order to avoid a human disaster on genocidal scale.

II. Prospects for Democratic Change

The government's human rights record remains very poor despite some improvements in some areas. The Sudanese cannot change their government peacefully. Security forces and government militias continue to act with impunity, harassing and killing opposition elements, and arresting and detaining people incommunicado for extended periods. The Sudanese are a dynamic politically active people who solely, through the pressures generated within their civil society, managed to topple two military dictators—Ibrahim Abboud (in 1964) and Jafar Numeiri (in 1985). It is therefore probable that an end to the fighting in South Sudan and Darfour will see the beginning of a marked improvement in the democratization of the regime, as the state can no longer justify emergency rule and loosens its present paralyzing grip on civil society.

Syria

Capital	: Damascus
Date of Independence	: 17/4/1946
Area	: 185,180 Km²
Population (in millions)	: 18 (in 2002)
Rate of Population Increase	: 2.45% (in 2003)
Ethnic Groups	: 90.3% Arabs, 9.7% Kurds, Armenians & others
Religious Groups	: 74% Sunna, 16% Alawite, Druze, and others, 10% Christians, and small Jewish minorities in Damascus and Halab
Illiteracy	: 23%
No. of Provinces	: 14 governortes
Polity	: Republic
Head of State	: Bashar El Assad
No. of Political Parties	: 8
GDP (in millions)	: $59,400 (in 2002)
Income per Capita	: $ 3,500

Overview

The modern state of Syria was established after World War I under the Sykes-Pico agreement between France and Great Britain. It was carved out of the one-time Fertile Crescent that included, besides the area of present day Syria, the present areas of Palestine, Israel, Jordan and Lebanon. Syria gained independence from France in 1946, and for most of the period since then has been ruled by the pan-Arab Baath party which took control of the country in 1961. In 1970, a military coup brought General Hafez El-Assad to power. For the next 30 years Assad's regime was dominated by the Alawite Islamic sect, which, although constituting only 12% of the population, has through coercive measures maintained control over the country's Sunni majority. Assad's regime was a military dictatorship that brutally suppressed all dissent. On Assad's death in 2000, the existing parliament unanimously voted his son Bashar to become president after changing the constitution such that the minimum age for the president was reduced from 40 to Bashar's 34. Syria's economy is based on commerce, agriculture, oil production and government services. The country has been ruled by emergency law since 1963, a situation that has placed severe restrictions on freedom and permitted the security forces to operate with impunity outside the legal system.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** Syria has a one-party regime. No party is allowed except the Baath party in association with seven small parties under its umbrella. Its leaders are in the dominant positions of all state institutions. All other parties are illegal. The "election" of the president is not contested by any other candidate, but occurs through a referendum on the person nominated by the Parliament, in which Hafez El-Assad and his son Bashar have invariably been nominated and won public approval by 99% of

the voters. The executive dominates, unchecked, the entire political system. All major decisions are made by the President together with his senior aids in the military, the security forces and the party leaders. The Parliament may criticize policies and modify draft laws, but the executive retains ultimate power over the legislative process.

The last elections for the 25-seat parliament was in March 2003. The elections cannot be characterized as fair and free since the majority of the seats were reserved for Baath Party members. Women and minorities —except the Jews— participated in the elections without restriction. Though there are no exact figures the results of the election indicate that some Kurds, Christians, Druze and Shi'a gained seats in the parliament.

2. **The Judiciary, Trials, and Detention**. The Constitution provides for an independent judiciary, but cases tried before State Security Courts (SSC) are subject to executive influence. Normal civil and criminal courts, however, operate with some independence. Trials are public, and except in security cases procedural safeguards are generally observed. Charges in state security cases are often vague, and defendants seem to be tried for exercising normal political rights such as free speech or free association. For example, emergency law permits trying people for "opposing the goals of the revolution" or "shaking the confidence of the masses in the aims of the revolution", or "attempting to change the economic or social structure of the state." In SSC, the defendant is denied basic rights on many counts. For example, defendants did not attend the prosecution's presentation of the evidence to the court, lawyers could not make oral presentations but were only permitted to submit defense briefs, and trials were usually closed to the public.

3. **Civil Society and the Freedom of Association**. The Constitution provides for the right of association and assembly, but in practice these freedoms are restricted. all NGOs must be approved and registered with the government, which generally denies approval to reformist organizations. Attempts to organize informally and pursue normal civil rights are prosecuted. Leaders of the Syrian Human Rights Organization, for example, were indicted and tried in September 2002 for illegally forming their organization and for distributing illegal publications. Workers are not permitted to form unions independent of the government. All unions must belong to the General Federation of Trade Unions (GFTU), which is part of the state structure, and acts as a liaison between the government and the workers. The GFTU may suggest legislation, and its president, who is a senior member of the Baath party, may attend cabinet meetings. Strikes are legal, but they rarely occur. NGOs and professional syndicates must be registered and licensed by the government, and are admonished in the Constitution to "build the socialist society and protect the regime." The activities of all associations are closely monitored. Although human rights organizations are not officially licensed to operate, the government has closed its eye to periodic meetings of such groups. NGOs not engaged in any political activity are usually licensed routinely.

Freedom of demonstration though theoretically permitted is in practice severely curtailed. Some demonstrations are allowed for political reasons; and most that take place are organized by the ruling Baath Party.

Political forums, discussion groups, lectures, and seminars cannot be held except by prior permission and after submitting details of the planned event and a list of the participants. In August, the government arrested and later released 21 persons for attempting to organize an unauthorized lecture on the occasion of the 40th anniversary of rule by Emergency Law in Syria. In 2002 human rights activists were sentenced to prison terms for "calling on the government to expand human liberties. They were charged of committing crimes against the security of the State.

4. **Freedom of Speech and the Media**. Freedom of expression is severely restricted. The government, utilizing vaguely worded clauses in the Penal Code and the Constitution, may suppress all speech and publications that "oppose the goals of the revolution" or "incites sectarianism." It could also revoke or deny publishing licenses on grounds related to the "public interest." All private newspapers must be censored before publication. A "Democratic Spring" began in 2001 when 1000 intellectuals in a widely publicized declaration called for wide-ranging political reforms including an end to rule by emergency law, the release of political prisoners, and free contested elections between several political parties. The declaration brought about the release of some 600 political detainees and the establishment of the country's first privately owned newspaper. But that "Spring" was short-lived. By 2002, the government launched a campaign against the reformist movement and arrested many journalists, human rights activists, and political dissidents. This regression in freedoms continued during 2003. In June 27, 2003 the weekly Domry journal was suspended, then one month later its license was revoked; and on 24 August security forces in Allepo broke into the premises of the human rights activist El-Kawakby and arrested participants in the ongoing debate on "40 years of emergency law."

5. **Freedom of Religion**. There is no official state religion. The Constitution guarantees freedom of religion, and the government generally respects this in practice, except for some restrictions in certain areas. All religious orders must register with the government, which monitors fund raising and issues permits for all religious meetings not convened for worship. Except for militant Islam which is considered a threat, the government refrains from involvement in strictly religious issues. It also approves all publications which present religion as an agent of national unity and tolerance. While allowing the construction of many mosques, the government closely monitors all their sermons, and mosques are closed between prayers. There is a strict separation between religious institutions and the state, and all schools are government–run and non–sectarian. Except for the approximately 100 Jews who still live in Syria, religion is not stated on identity papers. Although the law does not specifically disallow proselytizing it is in practice strongly discouraged. Muslims and Christians are subject to their respective religious laws with regard to family issues such as marriage, divorce and child custody.

6. **Women and the Marginalized**. The government is active in promoting gender equality in public life by appointing women to senior positions in all branches of government, including two cabinet ministers and the bench, where 7% of all judges are women. But many discriminatory laws still remain in

force, particularly those relating to personal status and family concerns, since they are based on Shari'a which imposes considerable restrictions on the rights of women. Criminal law is also lenient in "honor crimes" committed by men against female relatives for alleged sexual misconduct. The many associations concerned with women that operate in Syria belong to the Syrian Arab Women's Federation, which receives financial support from the government.

The government generally permits national and ethnic minorities to conduct religious and cultural activities, but its attitude towards the Kurds remains a significant exception. Though the government denies any discrimination against the Kurds, it has placed limits on the use and teaching of the Kurdish language and on publications in Kurdish and Kurdish cultural expression. Kurdish activists are dismissed from jobs, and those suspected of belonging to the banned Kurdish Democratic Unity Party are prosecuted and imprisoned. In 2002, President Bashar El-Assad became the first president in 40 years to visit a predominantly Kurdish province in the northeast and to acknowledge the importance of their cultural heritage.

7. A Note on the Kurds in Syria:

The number of the Kurds in Syria are estimated to be between 1.5 and 2 million, representing about 10% of the population, plus some 280 thousand Kurds who are denied citizenship by the Syria government and treated as refugees with little if any civil rights or rights to public services. The Kurds live in many Syrian cities but their main concentrations are along the Syrian borders with Iraq and Turkey. The Kurds in Syria have been much less active politically than their compatriots in Iran and Iraq. This no doubt is partly due to the sanctuary given by the Syrian regime, over the last decades, to Kurds fleeing Turkish forces across the border between the two countries. This Syrian policy attenuated the level of political conflict between the Syrian Kurds and their government and fostered a quiescent attitude among the Kurds, who tended to accept their lot as second class citizens, resorting now and then to only peaceful demonstration in demand for more equitable treatment. But things began to change in 2002 and particularly in 2003. The high profile assumed by the Kurds in Iraq after the fall of Saddam created a demonstration effect which encouraged the Syrian Kurds to be more vocal and assertive in their demands for justice. To this the Syrian government tended to respond with increased repression, using force to disperse peaceful demonstrations and arresting its leaders, and, in February 2003, bringing some to trial in front of state security courts, claiming that the Kurdish actions threatened national security. In March 2003 Syrian forces broke into university student dorms and arrested 5 Kurdish activists. In protest against continued discrimination Kurdish parties united in boycotting the local elections held on June 21, claiming that in all cases these elections, like the previous parliamentary ones, were a foregone outcome for the Baath party and lacked even the bare modicum of a free and fair democratic process.

Among serious Kurdish complaints is that the Syrian authorities are conducting a continuous campaign to marginalize and suppress all expressions of Kurdish culture, and is imposing a forced Arabization program to expunge the Kurdish language. It seems clear that developments in Iraq have spurred the Kurds of Syria to mount a concerted effort in defense of their rights as Syrian citizens entitled to equal treatment with other ethnic groups. Indeed,

they now speak in imitation of Iraqi Kurds, of "Syrian Kurdistan" and "Western Kurdistan." The international community has recognized the plight of the Syrian Kurds and has provided moral and political support.

II. Prospects for Democratic Change

Syria continues to be a republic with a military regime, with virtually all authority in the hands of the President who receives counsel from the senior members of the Baath party. The government's human rights record remains poor and it continues to restrict basic freedoms. Since the regime is intolerant of political opposition there is very little anti-government manifestations. The present President inherited from his father a heavy legacy of a dictatorial system based on the cult of the supreme ruler. There were initial signs in 2000 and 2001 that the new young President intended to introduce important political reforms that would loosen the grip of the state on civil society. But these promising beginnings did not mature and the years 2002 and 2003 witnessed a regression to the stringent oppressive policies of Hafez El-Assad. Hope remains, though, that the present stagnant economy of the country, coupled with external pressures from abroad, may eventually prod the regime to liberalize, at least partially, in the interest of its own legitimacy and stability.

Tunisia

Capital	: Tunisia
Date of Independence	: 20/3/1956
Area	: 163,610 Km²
Population (in millions)	: 10 (in 2003)
Rate of Population Increase	: 1.9% (in 2003)
Ethnic Groups	: 98% Arabs, 1% Europeans, 1% Jews & others
Religious Groups	: 98% Muslims, 1% Christians, 1% Jews & others
Illiteracy	: 25.8%
No. of Provinces	: 23 governorates
Polity	: Republic
Head of State	: Zein El-Abedeen Ben Ali
No. of Political Parties	: 7
GDP (in millions)	: $63,000 (in 2002)
Income per Capita	: $5,500

Overview

Tunis gained its independence from French colonial rule in 1956, under the leadership of the charismatic Habib Bourguiba, who became the country's first president. Bourguiba was a far-sighted politician with a strong developmental bent. In contrast to his other Arab neighbors, he eschewed heavy military expenditures and devoted all his energies and most of his budget to the building of a strong social infrastructure. One third of the budget went to education, the cornerstone of sustained development, and women were granted rights unequalled, at the time, in any other Arab country. Political and civil liberties, however, were limited. In 1987, the incumbent Prime Minister, Zein El-Abedeen Ben Ali removed the aging Bourguiba in a bloodless coup and installed himself as president, promising reforms and the opening of the political system. But with time his rule became increasingly autocratic and repressive, and the liberties he promised failed to materialize; instead, political dissidents were intimidated and harassed, and Islamist groups in particular were treated with considerable harshness.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** The Constitution mandates that the President and the members of the Chamber of Deputies (Parliament) be selected by popular vote. However, in practice the right of citizens to change their President or their government is very restricted. Although there are seven legal political parties, the political arena is dominated by a single party—the Constitutional Democratic Rally (RCD). In the latest municipality elections held in May 2000, RCD won 94% of the seats after running unopposed in 75% of the municipalities. In the national elections of 1999, the ruling party won all the seats save the 20% (34 seats) reserved by law for the opposition parties. All elections are characterized by marked irregularities including voter intimidation and the absence of secret ballot. The presidential elections of 1999, did not witness even a semblance of a contest; Ben Ali claimed the expected sweeping victory of 99.4% of the

vote. The RCD has ruled the country since its independence in 1956, dominating both the cabinet, the Parliament, as well as the regional and local councils of the 24 governorates. All Governors are appointed by the President. In May 2002 a referendum to remove the constitutional limit of two terms for a president in office was approved 99.5% of the voters, thus permitting Ben Ali—unless forcibly removed—to rule for life should he so chose. Article 41 of the Constitution was also amended to grant the President upon leaving office, immunity from prosecution for any acts he may have done in the course of exercising his duties. Those surreal vote totals with which the President and his party win elections call into question the legitimacy of the entire electoral process, and are a measure of the authoritarianism of the regime and its severe suppression of all political dissent.

To mitigate the built-in advantages given to the ruling party and maintain some semblance of a legislature, the Electoral Code reserves 20% of the parliamentary seats for opposition parties. The government also partially funded the campaigns of opposition parties which are poor in resources, and provided an annual subsidy for all. It also gave opposition parties air and TV time to present their programs.

2. **The Judiciary, Trials, and Detention.** The Constitution provides for an independent judiciary, however the President and the executive branch strongly influence court decisions, especially in political cases. Judges are appointed, tenured, transferred and dismissed by the executive branch thus making the judicial system vulnerable to executive pressures. Although a special administrative court reviews cases brought by citizens against the government, its rulings if not agreeable to the government are usually ignored. Political cases are usually tried in military courts, the rulings of which are often rendered after a few minutes of deliberation, and are not subject to appeal. It is estimated that there are about 1000 political prisoners, mostly members of outlawed Islamist groups. Trials in the regular civil and criminal courts are open to the public, but procedural safeguards are not always observed. Lawyers and human rights organizations have complained that courts systematically ignore the investigation of allegations of mistreatment and torture to extract confessions. Defendants may be detained for extensive periods of time before trial; some have claimed that their pre-trial detention lasted years.

3. **Civil Society and the Freedom of Association**. Freedom of association is very limited. The government banned a number of opposition groups, notably the Islamist al-Nahda and the Tunisian Workers Communist Party; and human rights groups have been subjected to harassment, intimidation and arrest. In 2003, the government has resorted to attacking prominent dissidents in civil society by publishing articles against them in several papers simultaneously. On the other hand, the number of NGOs has tripled since Ben Ali assumed power in 1987, bringing their number in 2003 to 7321. There is also a governmental organization charged with supervising human rights and basic liberties, but this organization is much more concerned with monitoring the human rights groups in society than with safeguarding the guarantees of human rights.

Public gatherings require prior permission. Workers have the right to form unions, to bargain collectively and to strike. About 15% of the work force are union members. Unions are legally independent of the government, and cannot be dissolved except by court order. The Tunisian General Federation of Labor (UGTT) has shown some independence regarding economic and social issues, and has spoken out in support of a greater measure of democracy.

4. **Freedom of Speech and the Media**. Freedom of expression is severely restricted. Numerous independent newspapers and magazines, including several opposition party journals, are in circulation, but the entire press is censored directly via a governmental central office in addition to other indirect controls, including self-censorship. The Press Code contains broad vaguely defined provisions prohibiting "subversion" and "defamation," that are used to prosecute political dissidents. In a speech in 2001 President Ben Ali stated that while freedom of expression is a basic right, yet those citizens who criticize the government in the foreign media are "traitors" and shall be prosecuted accordingly. Many journalists are serving sentences in prison, some since the early 1990s. At years end the Tunisian Newspapers Association remained expelled from the World Associations of Newspapers for its failure to oppose the repression of freedom of the press in its own country. In 2003, the government pursued a policy of extensive intimidation and harassment of dissident voices in the press, through a variety of means including threats, arbitrary arrests and detention, suspension of publications, the interruption of telephone lines, and cancellation of governmental advertising contracts.

   The broadcast media is state-owned. While it is strongly biased in favor of the government's views, it has of late been forced to upgrade its programs by permitting, to some degree, the expression of different points of view on international issues. Internet access is highly monitored and access to opposition web sites are regularly blocked.

5. **Freedom of Religion.** Islam is the state religion. Other religions—to which belong only 2% of the population—are free to practice their faith, except the Bahai's, who are considered a heretical sect of Islam and are not permitted to worship publicly. The government does not permit proselytizing or the formation of political parties based on religion. Christian literature may be distributed if in English but not if in Arabic. The government subsidizes mosques and some Jewish synagogues and pays the salaries of Muslim prayer leaders as well as that of the country's Grand Rabbi. Islamic religious education is mandatory in public schools which, however, also teach something of Jewish and Christian histories. The traditional Muslim headscarf (*hijab*) worn by women is forbidden in government offices. Muslims who convert to another faith face social ostracism as well as some governmental retributive measures, such as denial of passports, in order to discourage such conversions.

6. **Women and the Marginalized.** The rights of women in Tunisia are far more advanced than in any other Arab country. The National Union of Tunisian Women which extends assistance and help to women is sponsored

and subsidized by the government. The government has also advanced the rights of women by providing support to divorced women, and helping eradicate women's illiteracy which is 20% above that of men. Women comprise about 30% of the entire work force. Women serve in the higher echelons of the government as cabinet ministers (one) and secretaries of state (5), and occupy more than 13% of the top positions. Two women also serve in the 15-member Higher Judicial Council. They also constitute 37% of the civil service, 24% of the nation's jurists, and occupy 21 of the 184 seats of Parliament, and about 21.6% of seats in municipal committees. In December 2003, the ruling party announced a minimum representation of 25% for women in both the national legislature and municipal committees. Despite these impressive achievements women are still victims of some societal and economic discrimination in certain areas. Also Shari'a law, which discriminates against women, is applied in cases of inheritance and family concerns.

II. Prospects for Democratic Change

While the present state of political rights and civil liberties in Tunisia remain far below the international standards for human rights, yet the socio-economic foundations for a modern democracy are robust and promising. Tunisia's recent strong concern with strengthening its relations with the West, in particular with the United States, will no doubt prod it to liberalize its system and improve its human rights record vis-à-vis political dissidents and critics of the regime.

United Arab Emirates

Capital	: Abu Dhabi
Date of Independence	: 2/12/1971
Area	: 82880 Km²
Population (in millions)	: 2 (in 2003)
Rate of Population Increase	: 1.57% (in 2003)
Ethnic Groups	: 19% Emirates, 23% Arabs and Iranians 50% South Asian, 8% Europeans and South East Asian (1982)
Religious Groups	: 96% Muslims (16% Shi'a), 4% Christians, Hindus and others
Illiteracy	: 23.1%
No. of Provinces	: 7 Emirates
Polity	: Monarchy
Head of State	: Zayed Bin Sultan al-Nahyan
No. of Political Parties	: There are no political parties
GDP (in millions)	: $53000 (in 2002)
Income per Capita	: $22000

Overview

The UAE is a federation of seven emirates, previously known as the Trucial States, which was established in 1971 after the British withdrew from the Persian Gulf. Although the federal constitution stipulates that the federal president is chosen every five years, by rotation, from among the seven rulers of the emirates, yet in practice the ruler of Abu Dhabi, Sheikh Zayed Bin Sultan al-Nahyan, has always held that post. The economy of the emirates had depended on fishing and the pearl trade until oil was discovered in the 1950s. Since then, the UAE has invested, heavily, the revenues of its oil exports into the petro-chemical industry and the building of a modern economy. At present the per capita income of the UAE is $22,000, more than twice that of its oil-rich neighbor Saudi Arabia. What is more remarkable is that most of that wealth is not derived from the sale of oil or gas but from industry, trade, and maritime services. Although Abu Dhabi remains the engine of this economic growth, and is the region's largest free-trade zone, other emirates of the UAE have made considerable contributions. The emirate of Sharjah deserves special mention for having developed into a major manufacturing sector.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections.** There are no political parties in the UAE. The political arena exhibits a curious amalgam of modern institutions and traditional tribal customs. No elections, at any level, take place. The state's 40–member Federal National Council (*Majlis al-Itihad al-Watani*), composed of delegates appointed by the seven Emirs, serves as a consultative body without any legislative power. The seven rulers of the emirates constitute collectively the Federal Supreme Council (FSC) which holds supreme executive and legislative powers. The FSC selects the president and vice president from among its members, and ratifies whatever federal legislation is passed. All major posts in the federation are occupied

by members of the seven ruling families. The citizens of the UAE may be able to raise their demands to their rulers via associations in civil society in the regular open meetings which the rulers have with groups of citizens. Political discussions and gatherings are held in private homes. Citizens have no means for changing their governments democratically.

2. **The Judiciary, Trials, and Detention.** The Judiciary in the UAE is not independent since most judges are expatriates hired under contract for limited terms that are renewable. Moreover, court verdicts are subject to review by the political ruler. Trials are conducted in open court and are reasonably fair, and the rights of defendants to due process is observed. The judicial system includes both secular courts as well as others that are governed by the Islamic Shari'a law. The jurisdiction of the latter mainly covers crimes that attach to a specific punishment mentioned in the Qur'an, as well as family law. Arbitrary arrest is prohibited by law; however, the police may hold subjects incommunicado for indefinite periods of time, by court order, without any charge being brought against them.

3. **Civil Society and the Freedom of Association**. The government limits freedom of association, and the establishment of NGOs is subject to governmental approval. There are about 100 NGOs registered with the Ministry of Social Affairs. However, numerous unregistered NGOs are left to operate without government interference. Most NGOs focused on social and humanitarian activities, and a few are concerned with human rights. Registered NGOs are subsidized by the government. Publications by NGOs must receive prior government approval, though this restriction has not been consistently enforced. Trade Unions are prohibited except for the UAE Chamber of Trade and Industry and the UAE Women's Federation. The total number of NGOs is estimated to be 132—covering the fields of education, culture, religion, charity, sports, arts, and women's concerns, plus several associations for foreign expatriates. However, these associations are generally weak since their leadership lacks sufficient cadres with adequate managerial skills and training. Of special note is that there are no human rights groups. Permits are required for organized public gatherings, which are more often than not denied. Thus citizens resort to holding political discussion in private homes only. Strikes and demonstrations are prohibited. A major human rights problem in the UAE concerns the abuse suffered by foreign labor that make up a staggering 98% of the entire private labor force (about 1.7 million). The system of the *Kafil*—which makes it mandatory that every foreign worker have a local national as guardian—has enabled employers to mistreat their foreign employees, often treating them like serfs.

4. **Freedom of Speech and the Media**. Although the Constitution protects freedom of speech, it is in practice strictly limited. The broadcast media is largely owned by the state and is under its full control. Journalists and writers exercise self-censorship in discussing government politics and other sensitive issues like religion or national security. All printed material is subject to Law No. 15 of 1988 which requires that all publications obtain prior license from the Ministry of Information, and subjects them to governmental review. Moreover, the law also lists a number of prohibited topics. Although the press is mostly privately owned yet it obtains monetary

support from the government, and is frequently used by the government to propagate its policies and publicize its achievements, usually in an exaggerated form. Foreign publications are censored. The broadcast media is state-owned and follows governmental guidelines.

5. **Freedom of Religion**. Islam is the official religion of the state, and 84% of the Muslim citizens are Sunnis, with the remaining 16% Shi'a. The Constitution protects religious freedom "within the limits of custom and tradition." The government controls and monitors all Sunni mosques, and limits the activities of religious associations and their efforts at recruitment, allowing only their performance of religious rites. A Shi'a minority (residing mainly in the north of the country) is permitted freedom to practice their religion but are denied the government subsidy which is granted to Sunni mosques, although they do not deviate in theirs sermons from the topics approved by the state. The Shia's are also prohibited from proselytizing. There is a small minority of Christians and Sikhs to which the government accords very decent, indeed very generous, treatment that has extended to contributing the land to the building of 23 churches and two Hindu temples. Non-Muslims, however, are strictly prohibited from proselytizing or distributing their religious literature. The state encourages a tolerant moderate form of Islam, and provides incentives for non-Muslims to convert to Islam, such as public honor and celebration, and the reduction of prison terms for inmates who convert.

6. **Women and the Marginalized**. Very few women participate in public life. Indeed, the appointed 40-member Federal Council does not include any women. Tradition does not encourage women to work outside the home. A significant number of women work in the government as well as in education and the professions, although they suffer from various kinds of discrimination in job benefits and promotion. A number of NGOs focus on women's rights, and the prevention of domestic violence against them. As in all other Arab countries, Islamic law imposes legal discrimination against women vis-à-vis men with regard to divorce, inheritance and personal freedoms. There are very few women in senior positions. Five are among the 40-member Consultative Council of Sharjah. On July 8, 2003 eight women were taken as diplomats in the Foreign Service.

   The Shi'a minority has succeeded economically but it also suffers from a measure of discriminatory measures by the government as previously noted above in subsection (5).

II. Prospects for Democratic Change

The UAE while still deeply in the grip of a traditional tribal culture has nevertheless taken big strides in the use of modern Western technologies, and has exhibited a marked degree of liberalism that promises to pave the way for the establishment of democratic institutions in the not too far future. So far the UAE has managed to minimize much of the legal aspects associated with autocratic rule, and succeeded in developing the most vibrant economy in the region, all within the context of a very stable environment.

West Bank & Gaza

Population

1. West Bank	: 2.24 million
Israeli Settlers	: 187,854
2. Gaza	: 1.4 million
Israeli Settlers	: 7,781
3. East Jerusalem	: 385,600
Israeli Settlers	: 177,383

Overview

Israel occupied the West Bank and the Gaza strip in the 1967 war. During the following 25 years the Palestinian Liberation Organization (PLO), under the leadership of Yasser Arafat, waged a guerrilla war against Israel using at different times different neighboring Arab countries as a central base from which to conduct its struggle. In 1995, the so-called Oslo Agreement was concluded between Israel and the PLO. Under its terms the PLO assumed the civil government of Gaza and a small part of the West Bank, with the understanding that most of the West Bank will eventually be transferred to the Palestinians, in segments, over the next five years. This land transfer proceeded in the first few years, but at a rate far behind schedule, and by 1999 it came to a complete halt. In September 2000, a Palestinian Intifada (uprising) began, and since then violence escalated on both sides and the security situation deteriorated in both Israel and the occupied territories of Gaza and the West Bank. By the end of 2003, the violence had taken a terrible toll — the Palestinian loss in life was 2369 and the Israeli 856, besides the much larger number of wounded on both sides. These developments effectively buried the Oslo Agreement as Israeli forces reoccupied all the areas it has previously evacuated, and proceeded to target for assassination leaders of the Palestinian Intifada, while the "freedom fighters," as called by the Palestinians, and "terrorists" as called by Israel, conducted suicide bombings within Israel, killing mostly civilians in restaurants, buses and market places.

Freedom of association and assembly are severely restricted by the Israeli occupation forces, which banned public gatherings of more than 10 persons without a permit. Extensive curfews and closures of entire areas have made assembly of any kind virtually impossible. Israeli forces also closed numerous Palestinian Centers and institutions.

While the Intifada has undoubtedly hurt Israel both economically and in terms of lives lost, it has virtually devastated the Palestinian territories. Besides killing thousands of Palestinians, many of whom were civilians, Israeli forces with overwhelming military power, using tanks and fighter planes, demolished Palestinian homes and public buildings, destroyed thousands of acres of olive groves, and practically destroyed the entire infrastructure of the West Bank and Gaza. The peace process which began with high hopes in the 1990s is now dead, or seemingly so.

Aspects of the Palestinian Polity after Oslo

In 1996, Palestinians chose Yasser Arafat as Chairman of the Executive Authority as well as an 88-member Legislative Council in fair democratic elections. The Palestinian Authority (PA) has a cabinet of 23 ministers serving under Prime Minister Ahmad Quray. Chairman Arafat holds supreme executive authority and maintains direct control of the Palestinian security forces. The economy of the West Bank and the Gaza strip is very small and underdeveloped, and highly dependent on Israel (where thousands of Palestinian laborers work), and on international assistance. Israeli attacks, curfews and its siege and closure of entire districts has severely impacted the economy and raised the level of the unemployed to about 50%.

Although the Constitution provides for an independent judiciary and the PA law defines the powers of the President and the three branches of government, it is meaningless to assess the performance of these, or any other institutions, when a bitter war is in progress and the very issue of a Palestinian State is still in the realm of conjecture. Indeed, the main political factions within Palestinian society (such as Hamas and Islamic Jihad) continue to challenge the official PA on major policy issues, and Chairman Yasser Arafat himself is besieged in his quarters by Israeli forces since early 2001.

Yemen

Capital	: Sanaa
Date of Independence	: While the North of Yemen was never occupied, the South was under British occupation until 1967. The union of the North and South was declared in 22/5/1990
Area	: 527970 Km²
Population (in millions)	: 19 (in 2003)
Rate of Population Increase	: 3.42%
Ethnic Groups	: The great majority are Arabs & some Africans
Religious Groups	: 99% Muslims (Sunna & Shi'a), few Christians and Jews
Illiteracy	: 50%
No. of Provinces	: 20 governorates
Polity	: Republic
Head of State	: Ali Abdallah Saleh
No. of Political Parties	: 40
GDP (in millions)	: $15,700 (in 2002)
Income per Capita	: $840

Overview

Yemen is one of the oldest centers of civilization in the Middle East. The coastal plain of Southern Yemen came under British control in the mid nineteenth century, and when British forces left in 1967, the area succumbed to Marxist rebels. In 1990 the Southern regions of Yemen was unified with the much larger Northern Yemen under the northern President Ali Abdullah Saleh. An attempt at secession and the re-establishment of an independent South Yemen three years later was militarily crushed.

Yemen today faces a host of internal and external problems which impede its democratic transition. Predominant among these is the prevalence of political violence, the existence of several radical Islamic groups, and the power of numerous tribal chieftains who have almost autonomous control over their respective territories—a situation that hinders the process of state building and the full control of the central government over the territory of the entire country. This condition has gained the Yemen the reputation of being a safe haven for terrorists, until the government after 9/11 took drastic measures to combat terrorism in cooperation with the United States.

I. Political Rights and Civil Liberties

1. **The Executive, Political Parties and Elections**. Real political power resides in the hands of the executive, particularly the President. The Constitution calls on the Parliament to initiate legislation, but so far this has not happened. Parliament, however, has debated draft legislation submitted by the

government, and although the ruling party has a clear majority, it has sometimes radically revised and even blocked some bills. The government has also routinely consulted with senior members of Parliament when drafting important legislation. Ministers were frequently called to answer questions and justify actions; and members were often sharply critical in these sessions. Amendments to the Constitution abolished the President's power to issue decrees while Parliament was in recess. The Shura (Consultative) Council, which was merely an advisory body, was also expanded from 59 to 111 members and given some legislative powers. The last national elections that took place on 28/4/2003 were fair and free. Voter turnout was 68% and 821 candidates, including 37 women, competed for the 301 parliamentary seats. Most of the candidates belonged to Yemen's four major parties, though a few ran also as independents. The elections were monitored by an independent electoral commission, and though fair, were however marred by considerable violence. The ruling General People's Congress (GPC) party of President Ali Saleh won 225 seats, the (Islamic) Yemen Reform Party (*Islah*) 50 seats, the Yemen Socialist party won 7 seats, and each of the Nasserist and Baath parties won two seats; the rest went to independents. The parliamentary elections were deemed free and fair by both domestic and international monitors. The last presidential election took place in 1999. It was, however, uncompetitive since the main opposition candidate failed to obtain the endorsement of 10% of the parliament as required by law. Municipal elections were last held on September 11, 2001, amidst allegations of widespread vote rigging and a scale of violence that left 40 dead and 100 injured. Provincial governors who wield effective local power are appointed by the President.

2. **The Judiciary, Trials, and Detention**. The judiciary is not independent. Judges are appointed by the executive branch and have sometimes been subject to removal or reassignment for having handed down rulings against the government. Poor training and corruption have further undermined the independence of the judiciary. Moreover, the executive has often been lax and reluctant to carry out sentences. Judicial reforms funded by external donors to combat the above ailments have been instituted since 1999. In some governorates the tribal leaders exercise powers beyond the control of the central government. Consequently, local tribal leaders often continue to settle disputes and even criminal cases in their own tribal courts in the territory under their command. Although the Yemeni constitution provides due process safeguards, Amnesty International reported in July 2002 that arbitrary arrests were frequent and thousands were being held incommunicado for long detention periods. There is also credible evidence that abuse and torture were often used to extract confessions.

3. **Civil Society and the Freedom of Association**. Despite occasional complaints, freedom of association is generally respected. However, all associations are prohibited from any political activities. There are currently 4105 licensed NGOs, including a few concerned with human rights and the rights of women. Professional syndicates and workers' unions are free to operate, but the government usually manages to place some of its men in influential positions with these associations. The Yemeni Confederation of Labor Unions is the sole labor federation. The right to strike is not totally

banned but limited to obtaining prior permission from the Federation. Freedom of assembly is guaranteed by the Constitution but limited in practice. Some demonstrations were disrupted by the police, alleging that it was to prevent them from degenerating into violence.

4. **Freedom of Speech and the Media**. Freedom of expression is limited. The broadcast media is government owned and presents only the official view. The press, and other private publications, however, give voice to diverse views. But journalists and writers may be harassed, detained and imprisoned even up to five years on such vague offenses as "humiliation of the state," the publication of "false information that threatens public order or the public interest," or the use of language that "disparages religion." Consequently, journalists tend to exercise a high degree of self-censorship, particularly with regard to foreign policy or governmental corruption. At least three publications were closed in 2002 and some twenty journalists were reportedly arrested or summoned for questioning after writing articles that were considered offensive. There is no record, however, of any journalist that was imprisoned, though four received suspended sentences and several suffered extended pretrial detention. On 10/11/2002 an association concerned with the rights of journalists and freedom of the press was founded in Yemen and the Arab Gulf countries. Permits are required for public gatherings but these are routinely granted.

5. **Freedom of Religion.** Islam is the State religion. Sunni Muslims constitute 70% of the population while 30% are Shiites. Non-Muslims may worship freely but they may not proselytize or construct new places of worship without permit. Yemeni Jews, who are estimated to be around 500, face restrictions regarding places of residence and discrimination in employment. An estimated 200,000 Yemenis of African descent (*akhdam*) are severely discriminated against.

6. **Women and the Marginalized**. Women enjoy equal political rights. However, cultural norms and religious customs discourage women's political participation. There was one woman in the 301-seat Parliament, one woman in the cabinet, and 35 women were elected to local councils in 2001. More than 40% of the electorate were women. However, no woman was nominated as a candidate on any of the electoral lists of any party, and only one woman, out of 37 who ran as independents, won a seat in the 2003 national elections. Women face substantial legal and cultural discrimination (as a result of Shari'a law). So–called "honor" crimes, in which women are killed by male relatives for alleged sexual deviance, receive lenient penalties. The Islamic law also discriminates against women in matters of divorce and inheritance, and prohibits married women from leaving home without prior permission from their husbands. President Saleh has aggressively recruited women into most areas of government, and in 2001 appointed the country's first female minister. In 1998, the prime minister directed that in every ministry there should be at least one woman at the level of director general.

II. Prospects for Democratic Change

The Yemen is one of the Arab countries that were most influenced by the new wave of democratization. that swept the region in response to domestic and international pressures. Though the Yemeni regime has adopted the system of political plurality, this has so far changed very little in the means of devolution of power as a result of numerous restrictive laws.

Moreover, the boundary between state and the ruling party has been largely obliterated. The internal structure of all parties exhibits markedly undemocratic features. All this has discredited the whole political system in the eyes of the broad masses. Indeed the fact that 40 political parties exist, with most practically defunct, attests to the vaccuousness of the entire political process. Consequently, tribal allegiance is the decisive element in any election, a feature that will necessarily impede the creation and effectiveness of modern democratic institutions.